

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LEE of Georgia: A bill (H. R. 15523) making an appropriation to be expended under the provisions of the act of March 1, 1911 (36 Stat., p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended; to the Committee on Agriculture.

By Mr. STEENERSON: A bill (H. R. 15524) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: A bill (H. R. 15525) to provide for the establishment on the Mississippi River, in the State of Wisconsin, of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. CROWTHER: Joint resolution (H. J. Res. 436) making June 1 a legal holiday; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 437) repealing the tariff act of October 3, 1913, commonly known as the Underwood tariff measure, and reenacting the act of July 24, 1897, commonly known as the Dingley tariff measure; to the Committee on Ways and Means.

By Mr. SINCLAIR: Joint resolution (H. J. Res. 438) requesting the President of the United States to protest against the retention of the French colored troops in the occupied area of Germany; to the Committee on Foreign Affairs.

By Mr. MAPES (by request of the Commissioners of the District of Columbia): Joint resolution (H. J. Res. 439) to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1921; to the Committee on the District of Columbia.

By Mr. KAHN: Joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served two or more enlistments therein; to the Committee on Military Affairs.

By Mr. VOLK: Resolution (H. Res. 632) to investigate the enforcement of the eighteenth amendment to the Constitution; to the Committee on Rules.

By Mr. STEENERSON: Resolution (H. Res. 633) authorizing the consideration of a new section in House bill 15441, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOIES: A bill (H. R. 15526) granting a pension to Sarah M. Youngs; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 15527) granting a pension to Helen I. Tilton; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 15528) granting an increase of pension to Sarah V. Cribb; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 15529) granting a pension to Charles W. F. Hamilton; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 15530) for the relief of Ephraim Lederer, collector of internal revenue for the first district of Pennsylvania; to the Committee on Claims.

By Mr. HUDSPETH: A bill (H. R. 15531) to authorize the payment of a certain amount for damages sustained by collision with a motor truck of an automobile owned by W. F. Payne, El Paso, Tex.; to the Committee on Claims.

By Mr. HULINGS: A bill (H. R. 15532) to correct the military record of Thomas W. Duerner; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 15533) to validate the war-risk insurance of Warren O. Grimm, Ernest Dale Hubbard, Arthur McElfresh, and Ben Casagrande, who were murdered while parading in the uniform of the United States Army at Centralia, Wash., November 11, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID: A bill (H. R. 15534) granting a pension to Amella C. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15535) granting a pension to Fedilia Avery; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 15536) granting a pension to Julia A. Kelsey; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 15537) granting a pension to Amanda Kenney; to the Committee on Pensions.

Also, a bill (H. R. 15538) granting an increase of pension to Wyman Cottle; to the Committee on Pensions.

By Mr. MCKINLEY: A bill (H. R. 15539) granting a pension to Juliette Boon; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 15540) granting an increase of pension to Wood C. Wilson; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 15541) granting a pension to Fred J. Griffin; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 15542) granting a pension to Julia A. Gardner; to the Committee on Invalid Pensions.

By Mr. MANN of Illinois: Resolution (H. Res. 631) appointing Henry N. Couden chaplain emeritus of the House of Representatives; to the Committee on Accounts.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4825. By Mr. FULLER of Illinois: Petition of the United Commercial Travelers' Association, favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

4826. By Mr. IRELAND: Petition by various women voters of Peoria, Ill., opposing the passage of House bill 10925; to the Committee on Interstate and Foreign Commerce.

4827. By Mr. LANHAM: Petition of Fort Worth Chamber of Commerce, favoring Mexican immigration for farm labor, same to be provided for in the pending immigration bill; to the Committee on Immigration and Naturalization.

4828. By Mr. NELSON of Wisconsin: Petition of American citizens of Polish descent of Lublin, Wis., regarding the Polish question; to the Committee on Foreign Affairs.

4829. Also, petition of Local No. 2210 of United Brotherhood of Carpenters and Joiners of America, requesting repeal of wartime sedition law; to the Committee on the Judiciary.

4830. By Mr. O'CONNELL: Petition of International Union of Steam and Operating Engineers, Local No. 670, 589 Ninth Avenue, New York City, urging an appropriation of \$5,472,900, as recommended by the Secretary of the Treasury, for the operating force for public buildings; to the Committee on Appropriations.

4831. By Mr. TAYLOR of Colorado: Petition of the women voters of Salida, Colo., protesting against the maternity bill (H. R. 10925); to the Committee on Interstate and Foreign Commerce.

4832. By Mr. ZIHLMAN: Petition of Ladies' Cooperative Society of Silver Springs, Md., favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

## SENATE.

THURSDAY, January 6, 1921.

Rev. J. J. Muir, D. D., offered the following prayer:

Our Father and our God, we bless Thee for every expression of Thy mercy and for the continuance of Thy providence toward us in richness and blessing. Regard us this morning, we beseech of Thee, and help us so to fulfill the day with the tasks appointed that when the evening hour comes we can be assured of Thy benediction. We ask it for Thy great name's sake. Amen.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 390. An act for the relief of Peter McKay; and  
S. 2371. An act for the relief of Kathryn Walker.

## CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Heflin	McNary	Smoot
Ball	Henderson	Nelson	Spencer
Beckham	Hitchcock	New	Sterling
Calder	Johnson, Calif.	Nugent	Sutherland
Capper	Jones, N. Mex.	Overman	Thomas
Culberson	Jones, Wash.	Page	Trammell
Curtis	Kellogg	Phelan	Underwood
Dillingham	Kenyon	Phelps	Wadsworth
Elkins	Kling	Poindeexter	Walsh, Mass.
Fletcher	La Follette	Robinson	Walsh, Mont.
Gerry	Lenroot	Sheppard	Warren
Glass	McCumber	Simmons	Williams
Gronna	McKellar	Smith, Md.	Wolcott
Harris	McLean	Smith, S. C.	

Mr. GRONNA. I was requested to announce that the Senator from Nebraska [Mr. NORRIS] and the Senator from Connecticut [Mr. BRANDEGEE] are engaged on business of the Senate.

Mr. KING. I was requested to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Louisiana [Mr. RANDELL], and the Senator from South Dakota [Mr. JOHNSON] on account of illness; also the absence of the Senator from Nevada [Mr. PITTMAN], the Senator from South Carolina [Mr. DIAL], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Virginia [Mr. SWANSON] on official business of the Senate.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

#### PETITIONS.

Mr. CAPPER presented a petition of the Chamber of Commerce of Ottawa, Kans., praying for the enactment of legislation providing for a 1-cent drop-letter postage rate, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the fifteenth annual session of the International Farm Congress, held at Kansas City, Mo., favoring a more restricted immigration policy, which was referred to the Committee on Immigration.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 4794) to amend sections 216 and 223 of chapter 18 of the United States Statutes at Large, being the revenue act of 1918, approved February 24, 1919; to the Committee on Finance.

By Mr. SPENCER:

A bill (S. 4795) granting an increase of pension to John B. Senecal; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 4796) for the relief of Emma J. McKusick; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 4797) for the relief of Hans P. Guttormsen (with an accompanying paper); to the Committee on Claims.

#### SEATS AT INAUGURAL PARADE.

Mr. PHIPPS. I introduce a joint resolution, which I ask may be read at length.

The joint resolution (S. J. Res. 239) prohibiting the Commissioners of the District of Columbia from obstructing the parks, reservations, streets, avenues, and sidewalks in said District, and for other purposes, was read the first time by its title and the second time at length, as follows:

*Resolved, etc.* That the Commissioners of the District of Columbia be, and are hereby, prohibited from encumbering, or permitting the encumbering, with stands, platforms, seats, benches, or other obstructions, any of the parks, reservations, streets, avenues, and sidewalks in said District, during the period from February 28, 1921, to March 10, 1921, both inclusive.

*Sec. 2.* That the Secretary of War is hereby prohibited from encumbering, or permitting the encumbering, with stands, platforms, seats, benches, or other obstructions, any of the public parks, reservations, streets, avenues, and sidewalks in said District during said period.

*Provided,* That the foregoing provisions shall not apply to the White House Grounds nor to Jackson or Lafayette Squares.

*Provided further,* That permits may be granted, in the discretion of said Commissioners of the District of Columbia, for the erection of stands to be used for viewing the parade of March 4, 1921, on the following conditions, viz: That no seats shall be reserved, and no charge exceeding \$1 in cash for each seat shall be made. That no tickets shall be sold, but sales of seats shall be made only to those who are willing to occupy them at the time of purchase; and no return checks shall be issued to anyone desiring to leave said stands at any time.

*Sec. 3.* That any person violating any of the provisions of this resolution shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$100 or more than \$1,000, or by imprisonment in the District of Columbia Jail for a period of not less than three days or more than 30 days, or by both such fine and imprisonment, in the discretion of the court.

Mr. PHIPPS. Mr. President, the joint resolution which I have introduced follows the general line of the resolution in-

troduced by the Senator from Minnesota [Mr. NELSON], with an additional provision which I believe will make it possible for visitors coming to the District for Inauguration Day to be furnished with proper seats in suitable localities without being submitted to extortionate charges. To avoid trading in tickets and speculating it seems to me necessary absolutely to prohibit the use of tickets so that those desiring seats should take their chances, coming in turn on the principle of first come, first served. If for any reason they desire to leave their seats at any time the parade is passing or before they have finished the use of the seats, it will be only necessary for them to pay an additional charge for readmission, which would be limited to the amount of \$1.

I move that the joint resolution be referred to the Committee on the District of Columbia.

The motion was agreed to.

#### RESTRICTION OF IMMIGRATION.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, which was referred to the Committee on Immigration and ordered to be printed.

#### ATMOSPHERIC NITROGEN.

Mr. WADSWORTH submitted five amendments intended to be proposed by him to the bill (S. 3390) to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production, and for other purposes, which were ordered to lie on the table and be printed.

#### ANNIVERSARY OF LANDING OF PILGRIM FATHERS (S. DOC. NO. 351).

Mr. UNDERWOOD. Mr. President, some time ago in pursuance of a joint resolution passed by Congress, approved May 13, 1920, the Vice President appointed a committee of the Senate to cooperate with a committee of the House at the celebration of the three hundredth anniversary of the landing of the Pilgrim Fathers. The committee consisted of the Senator from Massachusetts [Mr. LODGE], the Senator from Ohio [Mr. HARDING], and myself. The three hundredth anniversary was celebrated in December, and the Senator from Massachusetts [Mr. LODGE], as chairman of the Senate committee, delivered the address. I ask unanimous consent that the address may be printed as a Senate document. It was an occasion of national interest and the address was one to meet it, and I think it should be preserved as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### CHANNEL TO CHARLESTON NAVY YARD.

The VICE PRESIDENT (at 12 o'clock and 15 minutes p. m.). The morning business is closed.

Mr. BALL. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3395, being Order of Business 331.

The VICE PRESIDENT. The question is on the motion of the Senator from Delaware.

Mr. UNDERWOOD. I should like to have the bill for which the Senator from Delaware asks consideration stated, in order that we may know what it is. I could not tell from the Senator's request, as he merely referred to the bill by number.

The VICE PRESIDENT. The Secretary will read the bill by title.

The READING CLERK. A bill (S. 3395) to discontinue the improvement to provide a channel extending from the sea to the Charleston Navy Yard.

Mr. SMITH of South Carolina. Mr. President, I hope the Senator from Delaware will not press his motion for the consideration of the bill this morning, for the reason that I have asked the Navy Department to furnish me with the data as to what has been done since the adjournment of Congress which bears directly on the subject matter of the bill. The information for which I have asked includes facts as to the width of channel now being dredged from the sea to the Charleston Navy Yard; under what appropriation that dredging is being done; and what work, if any, has been done upon the dry dock at that place which was not begun previously to the adjournment of Congress. I was informed just previously to coming to the Senate Chamber this morning that the department will perhaps by to-morrow noon have this information available for me.

It is very important that the Senate should have all the facts in the proper form in order that a subject of so much magni-



tude not alone to the South Atlantic but to the whole country may be thoroughly and fairly discussed on the floor.

Mr. BALL. Mr. President, I think the senior Senator from South Carolina has had ample time to secure all the information in reference to this bill which he desires. As for the necessity of the Senate having information, I can state exactly the amount which has been spent for this work from the appropriation. At the time this bill was being considered the Naval Committee unanimously passed a resolution requesting that no money be expended from the appropriation until the matter could be investigated. I delayed calling up the bill at the request of the senior Senator from South Carolina during the second session of the present Congress, but I notified the Senator early in this session that I was going to call the bill up at an early date.

I had written to the department, not knowing that they had expended any of the money after having been requested by the committee not to do so, but I find they have expended of the \$1,500,000 appropriated for this new project about \$1,200,000 up to the 1st of November last. Since that time they have expended a part of the remaining \$300,000; I do not know how much.

Mr. President, unless it is the intention to build a dry dock 1,000 feet in length at Charleston, the dredging of that channel for 22 miles to a 40-foot depth and a width of 1,000 feet is simply a waste of public funds. There is already there a channel 30 feet in depth and 500 feet in width, which is ample for any draft of vessels that the dry dock now at Charleston can accommodate.

Mr. ROBINSON. Will the Senator from Delaware yield for a question?

Mr. BALL. Certainly.

Mr. ROBINSON. Would the Senator be interested in stating what is his objection to waiting until the information for which the Senator from South Carolina has asked is furnished to the Senate?

Mr. BALL. I have no objection to waiting until that be done if it is not merely a method of delay. I requested the senior Senator from South Carolina four weeks ago to obtain whatever information he desired.

Mr. ROBINSON. The Senator from South Carolina has just stated that the information will probably reach him by noon to-morrow; and I merely desire to suggest to the Senator from Delaware that, perhaps, in view of that statement of the Senator from South Carolina, no good would be accomplished by pressing action before that information shall have been received. I, for one, should like to have it.

Mr. BALL. I wish to give the Senator from South Carolina every opportunity to secure whatever information he desires, and if he will permit the bill to be called up and disposed of as soon as he obtains the information, I shall be perfectly satisfied that it will be perfectly proper to yield for that purpose.

Mr. SMITH of South Carolina. I wish to state to the Senator from Delaware that I have no disposition to delay the bill, nor have I come here with anything like a subterfuge in order to gain any time. The Charleston project is a great one; it involves great issues; and I have asked the Navy Department to furnish me with certain data of which I believed the Senator from Delaware is not possessed. The department is getting up that data for me now with all proper dispatch. I am not inclined to delay the consideration of this matter. The fact is that it seems to me now is about as good a time as any for us to decide what we are going to do. When the information comes in I shall be very glad to lay before the Senate all the facts relating to the project, the relation of the project to certain other projects; and whether the Senate sees fit to take up the bill to-morrow or to postpone its consideration, I am quite sure the Senate will extend me the right which it has always extended to every other Senator to prepare himself to discuss a matter that is not only of interest to his State but to the entire country.

Mr. BALL. Mr. President, I trust the Senator from South Carolina will receive the information within a few days in order that this matter may be speedily disposed of. A large sum of money is involved, and it is a question either of wasting that money or, if the project is to be continued and the dry dock is to be built, then proceeding with the work in a proper manner. I object to expending money on that channel unless the dry dock is to be built. As matters now stand, there is simply a waste of \$1,200,000; and, of course, an additional waste is involved if this matter is to continue from session to session, as it seems to be the disposition of some Senators to carry it along.

I have no objection, Mr. President, to granting a reasonable time to enable the senior Senator from South Carolina to secure the information which he deems proper.

Mr. SMOOT. Mr. President, I wish to ask the Senator from Delaware a question. I understood the Senator from Delaware to say that he has the information already in his possession.

Mr. BALL. I have the information obtained from Admiral Parks, the Chief of the Bureau of Docks and Construction. The figures which I have given are his figures.

Mr. SMOOT. If the Senator has that information, it seems to me it would not take more than an hour for the Senator from South Carolina to receive the same information.

Mr. BALL. That is a question for the Senate to decide.

Mr. SMITH of South Carolina. Mr. President, I have stated to the Senate—and it is not necessary for me to repeat—that I am not trying to postpone this question for the purpose of causing unnecessary delay. There are, however, certain facts which have been sent me by the Navy Department to be used here and which are not in the possession of the Senator from Delaware. Those facts are official, and for that reason I am reserving the right, which is the privilege of any Senator here, of securing the desired information.

Mr. SMOOT. I asked the Senator from Delaware if he had the information that the Senator from South Carolina has asked for, and he replied that he had.

Mr. SMITH of South Carolina. But there is additional information which will come in connection with this matter.

Mr. UNDERWOOD. Mr. President, I understand the Senator from Delaware has withdrawn his motion.

Mr. BALL. I have not withdrawn my motion and will not unless there shall be a reasonable time fixed for the consideration of this matter.

Mr. SMITH of South Carolina. I am not likely to ask for any unreasonable time. I simply am waiting upon the Navy Department to furnish me the information. When it is here, I shall be glad to have the Senator from Delaware call up this matter.

Mr. EDGE. Mr. President, I rise to a parliamentary inquiry. Is a motion to consider a bill before 2 o'clock subject to debate?

The VICE PRESIDENT. It is not.

SEVERAL SENATORS. Question!

Mr. BALL. Mr. President, I withdraw the motion to-day, with the understanding that I shall renew it to-morrow. That will give the Senator from South Carolina an opportunity to secure the information within 24 hours, and I am sure that it will only take a very short time to obtain it.

#### DISPOSITION OF EUROPEAN RELIEF FUND.

Mr. HITCHCOCK. Mr. President, the question has arisen here upon the floor as to the disposition of certain relief voted by the Congress in the year 1919, and I ask unanimous consent to make a short statement and to have certain information placed in the Record, in order that the matter may be cleared up. The appropriation was made by Congress in 1919—

Mr. LA FOLLETTE. Does the Senator refer to the \$100,000,000 appropriation?

Mr. HITCHCOCK. I refer to the \$100,000,000 appropriation.

Mr. President, the facts of the case are that Congress in 1919 appropriated \$100,000,000 for the purpose of furnishing food and other relief to the starving people of Central Europe. This work was placed in charge of Mr. Hoover. He used as his fiscal representative the United States Grain Corporation as a business proposition, and he also used such agencies as the Red Cross, Army officers, and others in the actual distribution of the relief.

On the 25th of September of the present year a formal report was made to the President of the United States on the disposition of the amount of money which Congress had appropriated, and, as the report is rather brief and is signed by Mr. Edward M. Fleisch, the vice president and treasurer of the Grain Corporation, I will read it. It is as follows:

NEW YORK, N. Y., September 25, 1920.

His Excellency WOODROW WILSON,

President of the United States, Washington, D. C.

DEAR MR. PRESIDENT: The United States Grain Corporation, having under Executive order acted as fiscal agent of the American Relief Administration covering European operations, has prepared an accounting as of to-day on the \$100,000,000 appropriation which was approved by Congress February 25, 1919 (Public 274, 65th Cong.), and we are forwarding herewith statement of account showing proper evidence of expenditure furnished to and approved by the Comptroller of the Treasury in the amount of \$94,929,246.77, and a list of cargoes and cost of service covered by the above expenditure.

A large part of the foodstuffs supplied under this appropriation was furnished to the various Governments in central and northern Europe, who have undertaken to give obligations for repayment at the cost thereof, in the amount of \$84,014,527.92, which includes the sum of \$9,170.28 remaining to be collected, as shown by certified statement

attached. This statement also shows an expenditure in the amount of \$10,923,889.13 for child feeding and other charitable services, for which no obligations of repayment were taken. The signed obligations of the various Governments are inclosed herewith.

Please note that these obligations exceed in amount owing by the various Governments on account of our having taken the obligations as security during the delivery of the foodstuffs and at a time when definite values could not be relied on. These excess obligations amount to \$13,141,324.24, and are being returned herewith for disposition.

We still have outstanding claims amounting to approximately \$100,000, which will be billed against the comptroller on the appropriation just as soon as paid vouchers can be obtained, being the evidence the comptroller requires before reimbursing the Grain Corporation. We hope shortly to be in a position to forward a further statement as to evidence of the \$100,000 expenditure referred to, thus closing the entire matter.

Yours, very truly,

EDWARD M. FLESH,  
Vice President and Treasurer.

Mr. President, that in brief gives the business summary of what was done with the \$100,000,000. That is to say, the Grain Corporation, acting as Mr. Hoover's fiscal agent, paid out approximately \$95,000,000, and took from certain Governments obligations amounting to \$84,000,000. The remaining \$10,000,000 was devoted to child relief, and was a donation, being actually distributed largely in milk and child foods to the peoples of those countries.

Mr. WARREN. Mr. President—

Mr. HITCHCOCK. I yield to the Senator.

Mr. WARREN. The information the Senator is giving us is very interesting. I should like to ask him whether he has any statement from the Grain Corporation or from Mr. Hoover as to the amount of money that it was presumed, when we appropriated that money, could be provided from the profits of the Grain Corporation and added to the \$100,000,000 appropriation?

Mr. HITCHCOCK. That was a subsequent matter, and was handled in the year 1920, when Congress authorized the Grain Corporation to distribute \$50,000,000 worth of flour; and I am not taking that up now, because I do not want to confuse the two. I am dealing now simply with the \$100,000,000 that Congress appropriated; and if the Senator will permit me, I should like to finish, so as to show what the disposition of that was.

Mr. WARREN. I have no disposition to interrupt the Senator. I simply wished to know if that appropriation was accompanied in any amount by any other fund.

Mr. HITCHCOCK. Not at all. That is a subsequent matter, as I am stating.

Mr. President, I also ask leave to put in the RECORD at this point, without reading, a communication of Mr. William R. Grove, formerly a colonel of the United States Army, addressed to Hon. JAMES REED, United States Senator, and published in the Herald of this date or yesterday, in which he shows that 11,000 tons of milk and other foodstuffs were shipped from the United States and contributed to the children's fund to the value of approximately \$4,700,000. This food was distributed directly under his supervision, as stated, through hundreds of kitchens, canteens, and asylums created for that and other purposes. This charge was borne by the \$100,000,000 fund. I will put this letter in the RECORD in full.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DENIES EUROPEAN RELIEF FUND FED POLISH ARMY—OFFICER IN CHARGE OF FOOD DISTRIBUTION WIRES SENATOR REED THAT ONLY SURPLUS ARMY STOCKS SOLD.

NEW YORK, January 5.

Denials that American funds contributed for European relief had been used for supplying the Polish Army, as charged by Senator JAMES REED, were telegraphed to REED to-day by William R. Grove, formerly in charge of food distribution in Poland.

Surplus supplies of the Expeditionary Forces were sold the Polish Army, Grove said, but this had nothing to do with the \$100,000,000 congressional relief fund.

Grove's telegram follows:

Hon. JAMES REED,

United States Senate, Washington, D. C.:

From the press account of your statement this morning in respect to the use of a portion of the \$100,000,000 relief appropriation which expired in June, 1919, for the purposes of the Polish Army, I am convinced that you have been misinformed.

I was in charge in Poland of the distribution of all food under the \$100,000,000 relief appropriation, acting under Mr. Hoover's general direction. There were three distinct activities in Poland which may have led to confusion in your mind:

First. About 11,000 tons of milk and other foodstuffs were shipped from the United States and contributed to the children's fund to the value of approximately \$4,700,000. This food was distributed directly under my supervision, through hundreds of kitchens, canteens, and asylums created for the refuge of the children by the children's fund, which was also participated in by public charity.

The above charge was borne by the \$100,000,000 appropriation and represents a gift from the American people.

Second. Approximately 266,000 tons of food of the value of about \$50,000,000 was shipped to Poland from the United States and was distributed strictly to the civil population. This food was provided from

the \$100,000,000 relief appropriation, but the Polish Government was charged with the cost thereof and has given treasury notes in payment therefor, so that this item will be recovered to the American people. Thus the only loss to the American people amounts to the \$4,700,000 children's service mentioned above.

Despite the undertaking of the Polish Government to pay for this food, my instructions were to see that this food was strictly distributed to the civil population, and this was rigorously carried out under the direction of American Army officers. I may mention that the Polish Government paid the entire cost of distribution and no American money was ever given the Poles, the whole service being in commodities purchased in the United States.

Third. The Army liquidation board, over which the relief administration had no authority, sold to the Polish Government many thousands of tons of surplus American Army rations and supplies, again in return for Polish Government obligations, and some portion of this foodstuff was used for the Polish Army. It had, however, nothing to do with the congressional relief appropriation. The other allied Governments also supplied some food to Poland during this period.

In the broader aspects of the whole question, I may mention that if the whole Polish Army, as it stood during this period, had been supplied with such imported commodities as could be incorporated in their ration, which was not the case, it could have consumed less than 9,000 tons, or probably less than 3 per cent of the totals imported.

In any event, it is of much more importance to note that the objective of the American Government was to preserve life in the midst of famine and to reestablish order and to undermine the stimulus to anarchy and bolshevism then running rampant through a starving country. If Poland had not received this food, and if Poland had not had an army in the winter and spring of 1919, it would have gone bolshevik, thus joining the bolshevik activities of Germany and Russia, and plunging Europe into irrevocable chaos.

I am sure you will correct this misimpression you have given.

WM. R. GROVE,

Former colonel, United States Army.

105 HUDSON STREET, New York, N. Y.

Mr. PHELAN. Mr. President—

Mr. HITCHCOCK. Now, Mr. President, I want to show in a tabulated statement which I produce, furnished by Leslie, Banks & Co., chartered accountants, exactly how this relief was distributed; and I shall ask leave to insert it in the RECORD. I think I can read the whole thing, however:

#### UNITED STATES GRAIN CORPORATION.

Acting as fiscal agent of the American Relief Administration. Account of receipts from the United States Treasury out of the \$100,000,000 appropriation fund, segregated according to country to which relief was furnished.

For commodities delivered and services rendered to European Governments for which obligations of repayment were taken:

Armenia	\$8,028,412.15
Czechoslovakia	6,348,653.56
Estonia	1,785,767.72
Finland	8,281,926.17
Latvia	2,610,417.82
Lithuania	822,136.07
Poland	51,671,749.36
Nonbolshevik Russia	4,465,465.07

For this total of \$84,014,527.92 the national obligations of the countries named were taken and turned over to the Treasury of the United States.

Mr. BORAH. Mr. President—

Mr. HITCHCOCK. I yield to the Senator from Idaho.

Mr. BORAH. What part of Russia does the Senator have reference to when he says "nonbolshevik Russia"?

Mr. HITCHCOCK. I presume it was that part of Russia which at the time was in the hands of various generals who at various times opposed the Lenin-Trotsky government. I do not know anything further than that about it. It was such parts of Russia as those relief associations had access to, and of course they could not very well have had access to soviet Russia.

Mr. BORAH. Do I understand that they have securities from nonbolshevik Russia also to the amount which they expended?

Mr. HITCHCOCK. I judge so, to the extent of \$4,465,000.

Mr. BORAH. I was interested to know how they could get them.

Mr. HITCHCOCK. They were undoubtedly issued by the de facto governments or military officials who were in charge. They had about the same authority that the soviet government had in the rest of Russia, which is the authority of force, or de facto.

Mr. PHELAN. Mr. President—

Mr. HITCHCOCK. Now, then, for commodities delivered for child feeding and for other charitable services for which no obligations of repayment were taken—

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. PHELAN. I do not desire to interrupt the Senator. I can wait until he finishes reading.

Mr. HITCHCOCK. Yes; I think I ought to put this in consecutively. I shall put it in the RECORD, and I will not read it in detail; but it shows that in Czechoslovakia something over \$2,000,000 was distributed as relief.



For commodities delivered for child feeding and for other charitable services for which no obligations of repayment were taken:

Czechoslovakia	\$2,261,229.96
Estonia	376,621.73
Finland	560,275.75
Latvia	493,575.52
Lithuania	279,721.53
Poland	4,743,147.07
Rumania	414,286.43
Nonbolshvist Russia	373,873.72
Serbia	1,035,407.59
Freight on Red Cross supplies	275,287.23
Freight on typhus equipment	110,462.60

The total of those items is \$10,923,000, distributed without taking back any governmental securities; in other words, a contribution of the American people.

I shall put that in the RECORD, Mr. President, but I have read this much for the purpose of showing the amount distributed to each country under the direction of Mr. Hoover and by various agencies which he employed.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

*United States Grain Corporation, acting as fiscal agent of the American Relief Administration—Account of receipts from the United States Treasury out of the \$100,000,000 appropriation fund, segregated according to country to which relief was furnished.*

NAME OF COUNTRY, ETC., AND AMOUNT.

A. For commodities delivered and services rendered to European Governments for which obligations of repayment were taken:	
Armenia	\$8,028,412.15
Czechoslovakia	6,348,653.56
Estonia	1,785,767.72
Finland	8,281,926.17
Latvia	2,610,417.82
Lithuania	822,136.07
Poland	51,671,749.36
Nonbolshvist Russia	4,465,465.07
	\$84,014,527.92

B. For commodities delivered for child feeding and for other charitable services for which no obligations of repayment were taken:	
Czechoslovakia	2,261,229.96
Estonia	376,621.73
Finland	560,275.75
Latvia	493,575.52
Lithuania	279,721.53
Poland	4,743,147.07
Rumania	414,286.43
Nonbolshvist Russia	373,873.72
Serbia	1,035,407.59
Freight on Red Cross supplies	275,287.23
Freight on typhus equipment	110,462.60
	10,923,889.13

Total	94,938,417.05
Deduct for collection not yet made on account of Government of Armenia (vouchers not received), but included above	9,170.28

Net receipts as list of cargoes and service expenditure approved 94,929,246.77

We hereby certify that the above account of receipts from the United States Treasury out of the \$100,000,000 appropriation fund is correctly stated in accordance with the books of the United States Grain Corporation, London office, as of this date.

LESLIE, BANKS & Co.,  
Chartered Accountants.

NEW YORK, September 25, 1920.

Mr. WARREN. Mr. President—

Mr. HITCHCOCK. I yield to the Senator.

Mr. WARREN. If I may ask the Senator a question, I notice that a pretty large amount—in fact, a very large amount—of this distribution went to Poland. Was that before Poland engaged in war? And is the Senator able to tell us whether any portion of that was either contributed for or used by Poland in the war?

Mr. HITCHCOCK. I think the Senator is as capable of fixing the dates as I am. The appropriation was made early in 1919, so the distribution was made almost entirely in 1919 and the winter of that year.

Mr. WARREN. What I wish to know is whether that distribution has been made at different times up to date, or whether it was made prior to some specific date, which I think the Senator has not yet given.

Mr. HITCHCOCK. I have given the date of the report. I do not know the dates of distribution. It was chiefly in the year 1919.

Mr. PHELAN. Mr. President, may I ask the Senator a question? Is this in the nature of a report to Congress?

Mr. HITCHCOCK. No, sir. This is an effort to set before the Senate the fact that this \$100,000,000 fund has been distributed in the most effective, most efficient, and most economical way, in accordance with the orders of Congress. It is intended to put before the Senate the fact which should be put

before it, that this great trust has been most admirably administered, and that, instead of giving away this vast sum of money, Mr. Hoover, as the representative of the United States, has done exactly what Congress intended that he should do. He has given the relief. Where it was possible to secure back the bonds of the country he has taken them. Where that was not possible he has made it as a contribution, which was in effect carrying out the intention of Congress, as we all remember from the discussion at the time. Many at that time expected that there would be no return at all to the United States, and nobody now is able to tell what we will realize from the \$84,000,000 of securities in the Treasury; but the fact is that the distribution has been most admirably done, largely under the supervision of officers of the United States Army, largely through the cooperation of the wonderful organization of the Red Cross, through the Quaker societies, and through the various other ones of which I shall give the names in a few moments; and not only has that been done, but a most careful accounting has been rendered by chartered accountants to show the exact distribution and the exact destination of all those reliefs.

Mr. PHELAN. Mr. President—

Mr. HITCHCOCK. If the Senator will permit me, I should like to finish this report.

Mr. PHELAN. I understood that the Senator had finished the report.

Mr. HITCHCOCK. No.

Mr. PHELAN. I should like to hear it. I am sure the Senator is speaking of his own knowledge when he indorses all these transactions.

Mr. HITCHCOCK. I do indorse them most fully. To my mind, Mr. President, Mr. Hoover to-day stands as the greatest benefactor of civilization. I think his services in contributing to saving the lives of 6,000,000 European children entitle him to be ranked as one of the great benefactors of the world; and I think we here in the Senate should give him credit, as Europe gives him credit, for the great work he has done and the businesslike way in which the matter has been transacted.

Mr. PHELAN. Do I understand, Mr. President, that these transactions have been questioned, that Mr. Hoover has been accused?

Mr. HITCHCOCK. I do not know, of course, what the Senator is referring to. I am saying that it has been charged here, and it has been charged elsewhere, that Mr. Hoover misused the funds of the United States which were put at his disposal; and I am endeavoring now to state the facts as they are.

Mr. PHELAN. I was not aware that he had been accused. I am very glad to hear that there is some *raison d'être* for this matter.

Mr. HITCHCOCK. Now, I hold in my hand Table A, consisting of a report of the United States Grain Corporation, acting as the fiscal agent of the American Relief Administration, giving a summary of the commodities delivered and the services rendered to European countries under the \$100,000,000 appropriation fund. I will not repeat the names of the countries. I shall ask leave to insert this tabulated statement in the RECORD. It shows that of breadstuffs this organization distributed to the countries which I have already named a total of 404,000,000 tons, 9,000,000 tons of rice, 13,000,000 tons of beans and peas, 26,000,000 tons of meats and fats, nearly 7,000,000 tons of milk, 1,000,000 tons of cocoa and sugar, 5,700,000 tons of cotton, 449,000 tons of miscellaneous supplies, or a total of 468,379,284 tons of these commodities of relief, almost all of them being purchased in the United States and being shipped over there. I could also give the details of how they were shipped, but I deem that not necessary.

In Table B, which I shall ask to have inserted in the RECORD, we find a summary of the total of children's relief deliveries paid for from the congressional fund, for which no funds or securities were taken up; in other words, 3,446,000 tons of breadstuffs, 4,000,000 tons of rice, 4,600,000 tons of beans and peas, 1,500,000 tons of meats and fats, 15,000,000 tons of milk, and 5,000,000 tons of cocoa and sugar.

Mr. WADSWORTH. Mr. President, is it not pounds instead of tons?

Mr. HITCHCOCK. No; tons.

Mr. WADSWORTH. Fifteen million tons?

Mr. HITCHCOCK. Metric tons. It is a perfectly huge affair, and we have no conception of the enormous relief that has been rendered. This organization has actually saved the lives of 6,000,000 children, and Mr. Hoover is engaged at the present time in a gigantic effort to raise \$33,000,000 in this country to give relief. He is heroically at work through a number of organizations to raise \$33,000,000 to bring needed relief this winter to children in the countries of central Europe.

and eastern Europe, and I am stating these facts at this time in order that the Senate may have some appreciation of the tremendous energy this man has put into operation and the wonderful cooperation he has secured from all of the great charitable organizations of the world.

Mr. WADSWORTH. I do not want to seem to detract from anything Mr. Hoover has accomplished, but 15,000,000 tons of milk is much more than a ton of milk per child.

Mr. POMERENE. Two and a half tons.

Mr. REED. Two and a half tons per child for 6,000,000 children.

Mr. WADSWORTH. It must be pounds.

Mr. LA FOLLETTE. Let it go at pounds.

Mr. GRONNA. It is probably as accurate as Mr. Hoover's statement with reference to the cost of grain.

Mr. HITCHCOCK. I shall have to verify the figures, of course. What I hold is a tabulated statement, which just came to me; and it would be an easy matter for an error to be made. Even great Senators here upon the floor make statements equally ridiculous, and I presume that these figures are subject to correction, like everything else.

Mr. GRONNA. May I ask the Senator if he is speaking for the farmers of his State in making this statement here?

Mr. HITCHCOCK. I do not understand the Senator's question. I am speaking in the interest of fairness and justice in order that this man, who has carried out the mandate of Congress to bring relief to these children of Europe, should not be misrepresented.

I think if Congress thought enough of this matter to appropriate \$100,000,000, and if the people of the United States think enough of this matter, after their resources have been so largely drawn upon, nevertheless to enter upon a great cooperative effort to raise \$33,000,000 more, the Senate ought to take enough interest in the matter to accept a business statement from the man who is charged with the distribution of this money and this relief.

Mr. President, in the summary of what I have attempted to present I may say it is shown that the whole of the purchase, shipment, and financial operation under the \$100,000,000 relief appropriation of February, 1919, was carried out by the United States Grain Corporation in accordance with Executive order. Attached hereto are the items I have presented:

- (a) Covering letter of final report to the President from the Grain Corporation.
- (b) Audited statement of receipts from the Treasury of expenditures, allocated to the different countries concerned.
- (c) List of cargoes and expenditure vouchers which were lodged with the approval of the Comptroller of the United States Treasury.
- (d) Statement of the destination and character of commodities delivered.

The comptroller's office contains the complete vouchers for all expenditures, and the files of the Grain Corporation contain the vouchers proving the delivery of the commodities to their distribution destinations. The general policy in determination of the volume of foodstuffs to be supplied to different nations under the relief was determined by Mr. Hoover, in cooperation with other officials of the Government. The assurance that the civil populations in these countries received these supplies in accordance with their needs were secured by officers of the United States Army.

It will be observed that a total of \$94,929,000 was expended from the appropriation, and that obligations for repayment of \$84,014,000 of this were taken, the balance having been almost wholly devoted to children's relief.

The Senator from Delaware [Mr. WOLCOTT] calls my attention to a mistake which I made in reading the tabulated statement, which may relieve some of the anxieties of the Senators who have become alarmed lest too much milk was sent to the children of Europe. He calls my attention to the fact that I mistook a comma for a period, so that the total of milk distributed should be 6,911 tons and eight hundred and fifty-nine thousandths, which probably explains the discrepancy.

The fact is, Mr. President, that there never has been in the history of the world a more careful investigation by men charged with the responsibility of charitable relief. There never has been in the history of the world a more careful organization to see that that relief got to the right individuals; and there never has been a more prompt report of what had been done under that than we find in this particular case.

The statement which I asked to have inserted in the RECORD, contained in a report from Col. Grove, of the United States Army, as set forth in his letter to Senator REED, contains this statement:

Despite the undertaking of the Polish Government to pay for this food my instructions were to see that this food was strictly distributed to the civil population, and this was rigorously carried out under the direction of American Army officers. I may mention that the Polish Government paid the entire cost of distribution, and no American money was ever given the Poles, the whole service being in commodities purchased in the United States.

Third. The Army Liquidation Board, over which the relief administration had no authority, sold to the Polish Government many thousands of tons of surplus Army rations and supplies, again in return for the Polish Government obligations, and some portion of this foodstuff was used for the Polish Army. It had, however, nothing to do with the congressional relief appropriation. The other allied Governments also supplied some food to Poland during this period.

In other words, Mr. President, this fund of Congress was used solely for the purpose of distributing relief directly to the civilian population of Poland, particularly to the children of Poland, and it was done by Army officers of the United States, under Col. Grove, some 50 or 60 in number.

Those who have confused the use of American supplies by the Polish Government and the Polish Army have made the mistake of assuming that it came from this relief, whereas it simply came from certain surplus military supplies which the United States sold to Poland, just as it sold to other countries in Europe, France among them. They were sold as a business proposition, because they were over there, and it was cheaper to sell them than to attempt to bring them back. Whether we will get paid for them at an early date we do not know, but the obligations of the Polish nation were taken in pay for them, and when Poland had paid for them they belonged to Poland, to be used in any way. They were not intended as relief. They were sold to Poland as a business proposition, and Mr. Hoover's organization had no control over them whatever.

Now, Mr. President, I hope Congress will do more than it has done. I think the Congress of the United States, which has already been liberal with the people's money, should adopt a resolution such as has been introduced by the Senator from West Virginia [Mr. SUTHERLAND], which is now before the Committee on Foreign Relations, indorsing the great work of charity relief which is now being carried on in Europe without any Government support. I am not in favor of appropriating more Government money out of the Treasury at this time for that purpose, but I do think the Congress of the United States should give its moral support to this great work. It is not finished. There are still starving children over in Europe by the millions, and those countries in Europe are not able to provide for them altogether. Their moneys are so depreciated that they can not buy the supplies necessary for charitable distribution.

Mr. President, I hold in my hand an appeal to the American people. It is signed by the American Relief Administration, by Herbert Hoover; the American Red Cross, by Livingston Farrand; the American Friends Service Committee—the Quakers—by Wilbur K. Thomas; the Jewish Joint Distribution Committee, by Felix Warburg; the Federal Council of Churches of Christ in America, by Arthur J. Brown; the Knights of Columbus, by James Flaherty; the Young Men's Christian Association, by C. V. Hibbard, international committee; the Young Women's Christian Association, by Miss Mabel Cratty, of the national board; and I want to take the time of the Senate to read this brief appeal. It is as follows:

#### AN APPEAL TO THE AMERICAN PEOPLE.

Three and one-half million children in eastern and central Europe have no alternative to disaster between now and next harvest except American aid. For months, because the needy were so numerous and the available funds so limited, these most helpless sufferers in the track of war have been admitted to American feeding stations only if tragically undernourished, and have received American medical aid only if desperately threatened by death from disease.

Winter is closing down. The money of many nations is valueless outside of their own boundaries. Economic and crop conditions, aggravated over considerable areas by actual warfare last summer, make famine, with its terrible train of diseases, a certain visitor until next harvest. Inevitably the helpless children will suffer most. No child can grow to health and sanity on the pitiful makeshifts for food with which millions of European adults must content themselves this winter. It is obvious that the remedy can come only from outside.

America saved 6,000,000 European children winter before last. Normal recuperation cut the need nearly in half last year, but unusual conditions have resulted in scant shrinkage of child destitution during the twelvemonth just past. The response of America must now decide whether 3,500,000 of these charges, in acute distress, shall begin to be turned away in January from more than 17,000 asylums, hospitals, clinics, and feeding stations dependent on American support. There would be no tragedy in history so sweeping or so destructive of those who can deserve no evil.

The undersigned organizations, working among every race and creed, many engaged also in other forms of relief, agree unanimously that the plight of these helpless children should have complete priority in overseas charity until the situation is met. This is an issue without politics and without religious lines. There can be no danger of pauperization, for the \$23,000,000 for child food and the \$10,000,000 for medical service that we seek will relieve only the critical cases. The medical supplies, of course, must be an unequalled gift, but for every American dollar used in child feeding the Governments and communities aided furnish \$2 in the form of transportation, rent, labor, clerical help, cash contributions, and such food supplies as are locally obtainable.

America has not failed in the past in great-heartedness. She has never had a more poignant call than this. Contributions should be turned over to the local committees which are now being formed for



this national collection or sent to Franklin K. Lane, treasurer, Guaranty Trust Co., New York City.

American Relief Administration, by Herbert Hoover; American Red Cross, by Livingston Farrand; American Friends Service Committee (Quakers), by Wilbur K. Thomas; Jewish Joint Distribution Committee, by Felix Warburg; Federal Council of Churches of Christ in America, by Arthur J. Brown; Knights of Columbus, by James Flaherty; Young Men's Christian Association, by C. V. Hibbard; International Committee; Young Women's Christian Association, by Miss Mable Cratty, National Board.

Mr. President, the fact stated that 3,500,000 children are in distress is not a mere surmise nor a guess, but is the result of a careful investigation. The Rockefeller Foundation makes this statement, and that is an organization which has been very businesslike as well as very charitable:

The secretary of the Foundation spent the summer of 1920 in central and eastern Europe, making a first-hand study of the situation. He was deeply impressed with the efficiency of the organization which has been created under Mr. Hoover's auspices.

I may say that no American who has visited Europe, and I doubt whether a man from any other country, has failed to be tremendously impressed with the wonderful efficiency of the organization which Mr. Hoover has used as his agency in distributing relief. One thing everyone says who comes back here after an inspection is that the efficiency, the energy, and the care of his relief association is beyond all parallel, and even the worst enemy that Mr. Hoover has, I am confident, will come back with the same story if he visits those countries as Americans have already done. I have talked with a good many men who have been over there and they all say that Mr. Hoover's name is a name to conjure with when all things else fail, because of the deep impression he has made, not only upon the leaders of Europe, but upon most of the European people.

The statement continues:

It represents the maximum of self-help on the part of the countries concerned and a minimum number of salaried American administrators. Every penny of American money is expended for food. It is a satisfaction to contribute to a work which is so wisely and effectively administered.

The trustees were further influenced to contribute to the children's fund by the conviction that at this time the American people have an opportunity to demonstrate their genuine interest in the welfare of children who are the victims of a catastrophe for which they can in no wise be held responsible. In the midst of sharp differences of opinion about economic and political policies, it is possible for all Americans to unite in preserving the lives or safeguarding the health of 3,500,000 European children in both allied and former enemy countries.

Mr. BORAH. May I ask the Senator a question?

Mr. HITCHCOCK. Certainly.

Mr. BORAH. I ask it in perfect good faith and not in the way of criticism. In what particular countries are those 3,500,000 children supposed to be, and what particular countries are we leaving out?

Mr. HITCHCOCK. I shall be very glad to answer the question fairly. They are as follows:

In Poland, 1,500,000. Now, the Senator knows, and we all know, that probably Poland suffered more, and more frequently, than any other country in Europe. First, the Russian armies tramped over Poland with their destructive and ruinous spoliation. Then the German armies tramped over Poland, driving

the Russians back. Then again the Russians returned over Poland and Germany again threw them back. Poor old Poland was a mere doormat over which those great countries of Europe fought and was reduced by successive spoliations not only to well-nigh absolute ruin but to such starvation that the children were compelled to get down on the ground and eat the very roots of trees to maintain life. Poland still has 1,500,000 children in need of help. This fact is not a mere loose estimate, but it is an estimate made by those who have been on the ground and who know the facts for which they vouch.

Hungary, 100,000 children; Czechoslovakia, 250,000; Austria, 500,000; the Baltic Provinces, 200,000; Germany, 700,000; Russian refugee children, 200,000; total, 3,450,000; and medical service and clothing to more than 300,000 children of Serbia and other European countries, where food is not so greatly required.

The other day I talked with a man who had recently come back from Germany. He is a German-American, a good American citizen. He came back heartsore, not only because he found his own relatives over there in such desperate plight that they could not even ask him to dinner, because they were ashamed to show him what they had to eat. He told me repeated instances of sickly, half-starved children, little skeletons, whose parents were not able to give them the necessary food to keep them in anything like a healthy condition. He said that this extends up even to the classes that ordinarily have plenty. He spoke, for instance, among other cases, of a man who is a chemist, accustomed in ordinary times to earn a good livelihood. He described his two little girls, whom he saw, frail, sickly little children, and the chemist told him, "I can not even afford an egg a day, which the doctor says this little girl ought to have. An egg costs 2½ marks. I can not afford that egg a day which that child ought to have."

I say that under these conditions and confronted by this situation, not only in the countries that were friends of the United States but in Germany, that was our enemy, it is the American duty to give what relief we can, not so much to the adults, who can survive, but to the children, whose whole future life will be blighted if they are not given the necessary food to enable them to grow and develop.

As to the great work which has been undertaken by the charitable associations that are representative of the whole country and which have been placed in charge of Mr. Hoover, because he has had unheard-of success in the past, I say it is the duty of Congress at least to give its moral support to the raising of the \$33,000,000. I understand that something like \$11,000,000 has already been raised, but that it needs the help of Congress to secure the balance. I sincerely hope that the resolution of the Senator from West Virginia [Mr. SUTHERLAND] will be acted upon.

My attention is called to the fact at this moment that in reading one of the tabulated statements I made the mistake of using in all cases the term "metric tons." The figures in the statement are in thousands of metric tons, but the last three figures in decimals of metric tons, which I am sure will relieve the minds of those Senators who thought they saw a mare's-nest in a perfectly plain business statement.

#### APPENDIX.

United States Grain Corporation acting as fiscal agent of the American Relief Administration—Summary of commodities delivered and services rendered to European countries under the one hundred million dollar appropriation fund.

TABLE A.

SUMMARY OF DELIVERIES TO EUROPEAN GOVERNMENTS UNDER THE CONGRESSIONAL FUND, FOR WHICH OBLIGATIONS OF REPAYMENT WERE TAKEN. (METRIC TONS.)

Country.	Bread-stuffs.	Rice.	Beans and peas.	Meats and fats.	Milk.	Cocoa and sugar.	Cotton.	Miscellaneous.	Total.
Poland.....	213,666.237	7,986.844	9,415.879	21,315.085	1,993.713	49.146	5,775.363		260,202.267
Finland.....	64,851.294		121.576	1,432.694	38.845				66,444.409
Armenia.....	37,097.987	1,022.327	2,661.768		3,099.154	999.755		431.484	45,312.475
Czechoslovakia.....	52,285.215								52,285.215
Northwest Russia.....	14,248.491		379.785	2,266.609	1,055.272				17,950.157
Latvia.....	11,244.575	233.516	564.388	761.269	500.257				13,304.005
Estonia.....	8,116.011	91.633		725.168	127.523	54.976		14.136	9,129.447
Lithuania.....	2,565.892	84.233	185.150	424.939	97.095				3,357.309
South Russia.....	394.000								394.000
Total.....	404,469.702	9,418.553	13,328.546	26,925.764	6,911.859	1,103.877	5,775.363	445.620	468,379.284

SUMMARY OF UNITED STATES ARMY LIQUIDATION COMMISSION STOCKS MOVED FROM FRENCH PORTS TO OTHER EUROPEAN COUNTRIES UNDER THE CONGRESSIONAL FUND, FOR FREIGHT ON WHICH OBLIGATIONS OF REPAYMENT WERE TAKEN.

Country:	Quantity moved.
Poland.....	metric tons.. 3,357.246
Czechoslovakia.....	do.. 4,985.054
Estonia.....	do.. 2,804.622
Lithuania.....	do.. 6,096.344
Northwest Russia.....	cubic tons (automobile trucks, etc.).. 946.740
Total.....	metric tons and 946.740 cubic tons.. 17,243.266

United States Grain Corporation acting as fiscal agent of the American Relief Administration—Summary of commodities delivered and services rendered to European countries under the one hundred million dollar appropriation fund—Continued.

TABLE B.

SUMMARY OF TOTAL CHILDREN'S RELIEF DELIVERIES PAID FOR FROM THE CONGRESSIONAL FUND FOR RELIEF (METRIC TONS).

Country.	Bread-stuffs.	Rice.	Beans and peas.	Meats and fats.	Milk.	Cocoa and sugar.	Clothing and shoes.	Miscellaneous.	Total.
Poland.....	858.183	2,077.285	2,898.170	765.000	6,293.787	2,433.606	826.714	466.124	16,618.869
Czechoslovakia.....	700.000	318.916	271.271	454.501	4,029.033	741.978	163.503	161.232	6,831.434
Serbia.....		477.263	287.876	30.000	1,900.048	681.007		69.150	3,445.344
Finland.....	760.000	221.998	253.894	103.951	687.242	244.978			2,272.063
Latvia.....	260.192	160.049	341.117	43.168	710.828	206.105		41.672	1,763.131
Rumania.....	250.000	170.000	130.000	70.046	184.594	627.411			1,432.051
Northwest Russia.....	60.387	305.910	204.456	20.000	376.227	73.041		20.836	1,261.837
Estonia.....	207.000	273.211	151.902	52.934	443.795	295.030		20.836	1,444.708
Lithuania.....	351.000	83.000	77.826	27.959	307.509	153.011			1,000.395
Total.....	3,446.762	4,088.632	4,616.512	1,567.559	15,124.063	5,456.167	990.217	779.850	36,069.762

SUMMARY OF RED CROSS AND OTHER CHARITABLE SUPPLIES MOVED UNDER THE CONGRESSIONAL FUND.

From United States to Europe.....	cubic tons.....	13,707
From St. Nazaire to Reval.....	do.....	1,000
From Coblenz to Warsaw.....	metric tons (approx.).....	10,000

Mr. EDGE. Mr. President, I simply wish to direct the attention of the Senator from Nebraska to the passage of a resolution bearing upon this subject, of which he perhaps is not aware, not having referred to it in his discussion. The Senate on Monday last unanimously agreed to a resolution calling upon the State Department to secure by wire such information as they do not already have and to furnish promptly all possible information, so that the country may be officially informed, so far as that is possible, of the conditions existing on the other side to which the Senator has referred.

I feel that it is our duty, in no way in the world questioning the statements that have been made, to secure all the official information—and when I say "official" I mean through the service of our own diplomatic and consular departments—that it is possible to obtain in a matter where requests are made for millions and millions of dollars from the American people. If the conditions are as appalling as the Senator from Nebraska has outlined, and I have no reason to question it, then there is absolutely no doubt in my mind as to the response of the American people notwithstanding urgent appeals at home. But certainly no harm—quite the contrary—can follow the adoption of the resolution to secure all available information.

If the conditions are as reported by the Rockefeller Foundation and the other societies, then the mere fact that the Government, through its investigation, so gives that much additional establishment to the fact and so reports to the Senate and the country, will, in my judgment, act as a stimulant in raising the money and will make it official in a way; while, on the other hand, if the reports from those countries show that the situation has been to some extent exaggerated and that the countries on the other side are not doing such part as they should in this connection, which information is also asked under the resolution, then the American people should likewise know that. I am entirely in sympathy with the resolution offered by the Senator from West Virginia, but I feel that we should ascertain all the facts in the meantime and that such is our duty to the American people.

Mr. REED. Mr. President, I suppose that the very eloquent and interesting speech of the Senator from Nebraska [Mr. Hitchcock] is probably in part occasioned by the fact that I made a remark on the floor of the Senate a couple of days ago to the effect that a part of the money which had been appropriated by the American people had been employed to benefit the Polish armies. I stated, when I was interrogated about it, that I expected to lay the facts before the Senate at an early date. I have been trying to get some information. Partly because the information has not been forthcoming and partly because I have been incapable of doing any consecutive work in the last two days, I was not prepared to make the statement this morning, and I am not prepared now to make it. But I shall do so in the very near future, and as far as the facts are obtainable I intend to lay them before the Senate.

I wish to say now that late last night I received a long telegram from a gentleman calling my attention to what he claimed was a misstatement. I had intended to put it in the Record, but I think it has been furnished to Mr. Hoover's defender here this morning, and he has already read it.

I will state one reason why it is difficult to get at the facts, and I am only going to take a moment now. I do not propose to make a reply just at present to the speech which has just been made. The resolution under which the \$100,000,000 was appropriated in 1919 expressly required that a report of the

receipts and expenditures and an itemized statement of such receipts and expenditures made under that appropriation "shall be submitted to Congress not later than the first day of the next regular session."

This resolution was passed on the 25th day of February, 1919. I should like to see that itemized statement. There has been filed here a document, which I think the Senator read, which merely states that they had expended \$57,000,000 in Poland. Then follow gross sums aggregating \$88,750,000 of the money that has been expended, for which notes were received. The remainder, they state, was given away. There is no itemized statement, so far as I have been able to find, and if the Senator from Nebraska has an itemized statement that was filed here with Congress, he will confer a favor upon me if he will tell me where I can get it.

Mr. HITCHCOCK. I have not any knowledge of any such itemized statement. So far as I know, the report was made to the President of the United States. Whether or not that has been transmitted to Congress, I do not know. I will say that the report may have been made to Congress, though I do not know.

Mr. REED. If there was such a report, an itemized statement, made to the President of the United States, I should like to see that. Does the Senator from Nebraska know that any such report was made?

Mr. HITCHCOCK. That is substantially what I put into the Record to-day.

Mr. REED. That is the condensed statements which the Senator has just put in?

Mr. HITCHCOCK. They were tabulated statements. I did not read them in full.

Mr. REED. Were they ever filed with Congress?

Mr. HITCHCOCK. I do not know.

Mr. REED. Will the Senator from Nebraska tell me where he was fortunate enough to find them?

Mr. HITCHCOCK. They were brought to my office by interested parties.

Mr. REED. By Mr. Hoover or some of his associates who have never given the public the benefit of their contents?

Mr. HITCHCOCK. I do not know. They may have been published for aught I know. They date back to last September.

Mr. REED. I think when you look for a vindication of Mr. Hoover you will have to find it in his private archives; he has not yet put it in the public archives.

Mr. HITCHCOCK. I stated that the report was made to the President of the United States by chartered accountants, furnishing not only a statement of the obligations of the various Governments but furnishing a detailed statement and containing the vouchers which were satisfactory to the Treasury of the United States.

Mr. REED. The Senator from Nebraska and I might differ on what is a detailed statement. If one can put a detailed statement of an expenditure of \$100,000,000 on a sheet of paper of the size the Senator has here, he is capable of condensation that, like Mr. Hoover, has never yet been equaled in the history of all the world.

The Secretary of the Senate reports that the document which I hold in my hand, which is House Document No. 449, Sixty-sixth Congress, second session, is all that he has on file with reference to the expenditure of the \$100,000,000.

Mr. KELLOGG. Will the Senator from Missouri yield to me for a question?



The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. REED. I yield for a question.

Mr. KELLOGG. Is it not the Senator's understanding of the act of Congress of February 25, 1919, that the money was voted to the President for this purpose, and that the President is the one to make the report of Congress?

Mr. REED. Possibly that is true; but Congress ought to have the report.

Mr. HITCHCOCK. Mr. President, does the Senator from Missouri deny that this is a detailed statement?

Mr. REED. I absolutely deny that it is any such detailed statement as is contemplated by the act of Congress.

Mr. HITCHCOCK. The tabulated statements contained in this report are evidently quite elaborate. They show the wheat flour, cereal flour, rye, barley, rice, beans and peas, pork, lard, lard substitutes, milk, cocoa, sugar, soap, cloth, cotton, and miscellaneous which were purchased and sent to foreign countries. That is shown in considerable detail, and I should call it a detailed statement.

Mr. REED. Well, I should not. If all we have is a detailed statement of that kind we could no more tell what they have done with this money, we could no more check them up than I could be checked up if I had a hundred million dollars of your property and I said that I spent a part of it for beans, a part of it for corn, a part of it for hay, a part of it for cattle, and a part of it for advertising myself. It is not an itemized statement. The language of the act is:

That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, and countries contiguous thereto, outside of Germany, German Austria, Hungary, Bulgaria, and Turkey: *Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subjects of Turkey, may be included within the populations to receive relief under this act as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments, or subdivisions thereof, or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session: *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated preference shall be given to grain grown in the United States.

There was submitted to Congress the document which I have in my hand, which is not an itemized statement within the contemplation of that statute.

Mr. McKELLAR. Mr. President, will the Senator yield to me for a moment?

Mr. REED. I yield.

Mr. McKELLAR. Does the document to which the Senator refers show the cost of distribution, what salaries were paid, and items of that kind?

Mr. REED. Oh, no. I will hand it to the Senator, and when he gets through with it he will know just as much about it as he does now, not that he would not be capable of appreciating it if the facts were set forth, but even his acute mind can not elicit much from a vacuum.

Now, there was another appropriation made in this form: On March 30, 1920, a resolution was passed reading as follows:

That, for the participation of the Government of the United States in the furnishing of foodstuffs to populations in Europe and countries contiguous thereto suffering for want of food, the United States Grain Corporation is hereby authorized, with the approval of the Secretary of the Treasury, to sell or dispose of flour now in its possession, not to exceed 5,000,000 barrels, for cash or on credit at such prices and on such terms or conditions as may be necessary to carry out the purposes of this act and to relieve populations in the countries of Europe or countries contiguous thereto suffering for the want of food.

That is directed to the United States Grain Corporation. The following proviso was added:

*Provided*, That an audited, itemized report of the receipts and expenditures of the United States Grain Corporation for the purposes authorized by this act shall be submitted to Congress not later than the first Monday in December, 1920.

And here is that report. I think the Senator from Nebraska has put it in the Record, and it is not necessary to cumber the Record again; but it shows the receipt of Government obligations in part, and among those Government obligations are \$24,013,695.99 from Poland. It shows flour expenditures, and among the flour that we shipped it shows the shipment to Poland of \$24,013,695.99—the same amount as that for which they received the obligations of Poland. There is nothing in this report except the items of flour; that is to say, the different shipments of flour made to Poland.

Mr. SMITH of Georgia. Mr. President, can the Senator tell us whether the statement covers items in addition to the distribution under the \$100,000,000 appropriation?

Mr. REED. They are entirely different.

Mr. SMITH of Georgia. Amounting to \$27,000,000 more?

Mr. REED. Let me state it correctly—amounting to \$24,013,695.99. The only itemization of the flour is that they give us a list of the vessels by which it was shipped, and the only statement that is made in regard to the destination is that it went to Poland or went to some other country. The only certificate we have is this:

Having audited the above report of receipts and expenditures of the United States Grain Corporation, covering the sale of flours authorized under the act of Congress approved March 30, 1920, we hereby certify that, in our opinion, the said report has been correctly prepared so as to show a full accountability of the flour sales in question, and that it is in agreement with the records of the United States Grain Corporation of this date.

So that what we get is this sheet of paper prepared by some public accountant instead of the itemized statement of receipts and expenditures which was to be filed with Congress and not filed some place else.

Mr. KELLOGG. Mr. President—

Mr. REED. I yield.

Mr. KELLOGG. Does the Senator understand that the Grain Corporation distributed the flour to the various consumers in Poland?

Mr. REED. No; I do not understand anything of the kind.

Mr. KELLOGG. Or that the corporation could give any account of the detailed distribution of it in that way?

Mr. REED. No. The Senator does not understand me.

Mr. KELLOGG. The resolution did not require the Grain Corporation to distribute it.

Mr. REED. The Senator did not understand me to say that I expected that if they fed a child we were to have the name of the child given. An itemized statement implies that there shall be shown the organizations or the societies and the amounts given to such societies, and that there shall be fairly laid before the Congress what they did with this material and voucher receipts filed with it. The statement gives us no information. Does the Senator claim that it would be an itemized statement for me to say, "I had \$50,000,000 and I sent \$24,000,000 of it to Poland"?

Mr. KELLOGG. If the flour was sold to the Government of Poland in bulk and shipped to it, I suppose that would be the only itemized statement that the Grain Corporation would be able to make. I am not advised as to that.

Mr. REED. That may be a matter of opinion; but if it is we will have to find some new method if we are to get any information by which we can check up anybody.

Mr. McKELLAR. Mr. President, if the Senator will yield to me, I notice from reading this statement that it says on its face that it is not an itemized statement, and it gives this excuse for not making one:

These delays, together with the complicated nature of the accounts, make it impossible to present an itemized statement of receipts and expenditures for some little time. At that time the final and complete report will be filed. The totals will not, I believe, vary materially from those given in this report.

This report was made on November 24, 1919; has there been no subsequent report?

Mr. REED. There has been no subsequent report; at least inquiry at the proper places fails to disclose any.

Mr. KELLOGG. Mr. President, is that the report under the \$100,000,000, or under the \$50,000,000?

Mr. REED. The \$100,000,000.

Mr. President, I do not intend to discuss this question to-day. I think we will find some complications in it; and yet I think the circumstantial evidence will point to a particular result with absolute certainty and bear out every statement that I made and every implication from it. But since we have had this rhapsody about Hoover, another outbreak of Hooveritis, let me remark that the mental equipoise and the mental atmosphere—if I may use that expression—of some Senators on this question is well illustrated by the fact that when the Senator from Nebraska read that 15,000,000 tons of milk had been sent to 6,000,000 children, and his attention was called to it, he stood valiantly by his figures and wanted to know who would challenge a statement of that kind. If it had been fifteen thousand millions I have no doubt he would have assumed the same attitude. Anything that comes with this odor of sanctity and with the proper British accent is accepted immediately. It was in the record, as he thought, as 15,000,000 tons of milk, 2½ tons for each child, and when his attention was called to it he asserted that it was all right because it was in the record. When he afterwards discovered that he had misread the figures, then

they were all right as they were correctly read. Whatever there is in this document filed by Mr. Hoover comes to the Senator from Nebraska as a "Thus saith the Lord." I can understand that perfectly since his speech during the League of Nations debate in which he said that the British people had a freer government than the people of the United States of America.

Now, Mr. President, just this one word:

Not by way of an argument, but merely by way of showing that there is another side to this shield, I want to read only a few words from the testimony of Mr. Hoover, given before the House Committee on Ways and Means on January 10, 1920. I am reading a part of an answer, that I may give the context:

In the case of Poland, we had at one time—and have to-day, for that matter—1,200,000 children being fed in this manner. We calculated the costs at about \$1 per child per month for imports, and the internal costs are approximately the same amount.

Mr. GREEN.—

A Member of the House and a member of the committee—

What country got most of this \$100,000,000?

Mr. HOOPER. Poland.

Mr. GREEN. You found it necessary to apply the most of that in Poland?

Mr. HOOPER. Poland will be represented by approximately \$55,000,000 of obligations on account of major supplies.

A little later this gentleman testifies further, as follows—I am reading from page 65 of the report:

Poland's is one of the most appealing situations in Europe. The Poles, until the treaty was ratified the other day, have had no real access to the sea for commercial traffic except such as existed by the convention that I created with the German Government for the use of the railways and rivers, under American supervision, pending the ratification. That has been a very limited use, and because of this and other limiting factors Poland has not been able to make a very great recovery in exports of such commodities as she produces.

Beyond these minor questions, however, Poland is maintaining a front of some 1,600 miles against the bolsheviks. They have over 700,000 men under arms. Those troops are suffering fearfully from inadequate clothing and supplies.

If Poland should collapse from a bolshevik invasion, as has been the recent case of south Russia and Siberia, it is the most direct menace to the whole civilization of Europe. It involves the whole stability of Europe itself. It is a matter, therefore, of first importance to all the other Governments of Europe. It is a case where I am convinced there is a necessity which requires that we join in support, for we alone have a food surplus, and Poland's first need is food.

A little later—I do not pause to read it all—he speaks of the staff over there that is engaged in distributing food, and at the head of it, he says, is Col. Barber.

Those men have made a close study of the necessities of Poland, and they represent to us that Poland needs somewhere in the neighborhood of 700,000 tons of breadstuffs in order to pull through and keep its army and the civil population in the large cities even modestly supplied.

Mr. President, that is the testimony upon which Mr. Hoover asked this appropriation. The argument was that Poland must keep her 700,000 men in the field. I do not care, when they turned this food over to Poland, whether they stipulated that it should feed the population that Poland would have had to feed if we did not do it, and, having thus relieved herself of the burden of taking care of her own civil population, she could take an equivalent amount of food and use it on her army. Whether we went through that form and that pretext or not, there is no man who can read that testimony and read it candidly who does not know when he gets through that the purpose was to bolster up Poland and enable her to carry on her war.

Mr. President, that may be all right; but before the money of the American people is employed for the purpose of sustaining any Government in time of war with a friendly power, Congress ought to have something to say about that particular question. Of course, if somebody had been back of the German lines during this war, relieving the German Government of all the duty of caring for its own impoverished people, Germany's armies upon the front would have been as directly sustained as though food had been sent to them.

With this remark I propose to yield the floor, and I intend to discuss this question at a later time. In the meantime, with trade relations with Russia cut off, with armies sent into Russia without any authority, I am informed—and I am sorry the Senator from Nebraska has left the Chamber—that the Treasury Department has refused to mint the gold of Russia sent here to purchase merchandise. The Senator from Nebraska was asked to investigate that, and I thought he was doing so. Perhaps the former Secretary of the Treasury, who is here, can tell us as to that.

Mr. SMITH of Georgia. Mr. President, there is no dispute about the fact that the Treasury Department has refused to do so.

Mr. KING. Mr. President, will the Senator yield?

Mr. REED. Yes; I yield.

Mr. KING. I think the explanation which attends the action of the Treasury will modify the criticism which is implied in the remarks of the Senator.

Mr. REED. I shall be glad to have their explanation.

Mr. KING. If the Senator will permit me to intrude upon his observations for a moment, I think I can submit a partial explanation at least.

Mr. REED. Very well.

Mr. KING. The Senator knows that the bolshevik government stole the Rumanian gold which was in Russia.

Mr. REED. No; I do not know anything about it.

Mr. KING. Then the Senator is not as well advised concerning European matters as I thought he was.

Mr. REED. I have heard statements of that kind. I do not know whether they are true or not.

Mr. KING. The Government of the United States, well knowing that the bolshevik government was in possession of gold to which it was not entitled—gold which belonged to Rumania, gold which it had stolen from private individuals and melted up—has refused access of that gold to the mints of the United States; and the Senator knows that if we coined that gold and purchased it or acquired it there might be some liability on the part of the Government of the United States if the owners of the gold should make demand upon the Government for restitution. It has only recently been held by a judge in Great Britain, where property was vended which had been stolen by the bolsheviks, and suit was brought by the owner of the property, that the person who vended the property could not maintain his title, for the reason that it was clearly shown that the bolshevik government had deprived the owner of that property. So I think the Government of the United States ought to close its mints to the gold of the bolshevik government, because the bolshevik government does not own the gold and because a large portion of that which is in its possession has been stolen from private individuals and from the Rumanian Government.

Mr. REED. Mr. President, I am glad to have that explanation. It is about the one I anticipated the Treasury Department would make. But let us follow it a minute. The old autocratic government of Russia failed, the most cruel and bloodiest government that existed anywhere in the world at the time of its fall. The Czar of Russia was an absolute autocrat, and his predecessors in office had incarnadined every hill and valley of Russia with the blood of the people. Until comparatively recent time 70,000,000 of the population of Russia were serfs, attached to the soil and passing with the title to the real estate. Something like 80 or 90 per cent of those people can not read or write, because learning was almost as dangerous a thing in Russia as direct treason, so that that government stood with its brutal, autocratic hands clutching the throats of 180,000,000 people.

The picture was blacker than that which existed in France in the days of Louis XIV and Louis XV. Just as in France, the people, reduced to ignorance and poverty, and taught the lessons of brutality and crime, rose and waded through almost oceans of blood, so in Russia there have been outrages unspeakable, and there is no man in this Chamber who believes more than I believe that practically every principle of the bolshevik government is destined to bring misery upon that people, and I hold no brief in defense of anything approximating bolshevism.

But they have established a government that has stood for three years against attacks from within and assaults from without. The soldiers of Great Britain have undertaken their overthrow. The soldiers of France have invaded their soil. Japanese hordes have been turned loose upon them, and American soldiers have been sent there to fight against those people, who were our allies in this war, and who lost 6,000,000 men upon the field of battle. If they had not been upon the field of battle, France and England would have been crushed by the German military machine before America ever got into the war. There is not a student of that war who will dispute that statement.

They undertook to set up a government. They set up a very bad one, in my opinion, just as France set up bad governments after the revolution; but they were struggling in an experimental stage, and we sent our troops in there to help destroy them.

It is said that this people, when they rebelled and overthrew their Government, got some money out of banks, confiscated it, and that they got some money from Rumania. But here she is, three years afterwards, with comparative peace in her country. She would probably have been at peace long ago except that Poland invaded her territory for 300 miles, in direct



defiance of the orders of the heads of the great European Governments, and in direct disregard of the line which had been drawn upon the map to indicate Polish territory. The wrongfulness of that invasion has been declared by British statesmen and by French statesmen, and I think even by our own statesmen. She had 700,000 troops upon the field.

Coming back to the gold, I agree to the principle of law that if property is stolen and can be identified it may be taken away from the man in whose possession it is found. Of course, we all know that. But are you going to apply the principle to a Government, under such circumstances as existed here, that when any foreign Government proposes to buy something in America we shall make them furnish an abstract of title with each \$10 gold piece they lay down; that we are to institute an inquiry before we will trade with them or permit their money to be minted; and, of course, the United States Government would not be responsible under those circumstances for minting the gold.

What has been the effect of it? The effect has been to deny our merchants and our producers a market in Russia. In the meantime, what is going on? England is trading, and there is not any official English conscience that will be horrified by taking some gold that is handed to him by the Russian Government. France is opening up trade relations. Italy is opening up trade relations. Canada is opening up trade relations—all the other Governments of the world—but the gentlemen down here at the Treasury propose to say that because some Government took some gold from some people at some time—they do not know how much, or when, or where, or what it is—they will not take any gold from that country. It is another piece of official stupidity, of official arrogance, and of official usurpation that has been all too frequent in recent times.

Mr. SMITH of Georgia. Mr. President, if the Senator will yield to me I wish to call his attention to a telegram from London which appeared in the New York Herald of yesterday morning. It is as follows:

BRITONS COMBINE FOR SOVIET TRADE—LONDON GOVERNMENT SAID TO BE READY TO BACK \$50,000,000 COMPANY—RUSSIA SUBSCRIBES TOO—PROTESTS EXPECTED BY CONCERNS WHOSE PLANTS WERE CONFISCATED BY LENIN.

LONDON, January 5.

Proposals for the formation of a corporation capitalized at \$50,000,000 for the purpose of facilitating trade between Russia and Great Britain, which it is understood had been approved by the Government and Leonid Krassin, Russian Soviet representative, is announced by the London Times. The plans await the action of the Russian branch of the London Chamber of Commerce on January 12.

The corporation, the capital of which will be subscribed equally by Russia and Great Britain, the Times says, will be controlled by a board of governors selected by both countries, the Russian organization operating as a department of the soviet government. The expenses of administration will be met by the collection of small percentages upon purchases and sales and upon fiscal operations.

The British Government, the Times adds, is prepared to advance a special credit fund equal to half the British capital as a loan, free of interest, for 10 years. The corporation would buy from and sell directly to British manufacturers and traders at competitive prices, the privilege to be open to all firms whether members of the corporation or not.

I simply thought that that information, just coming from London, would be interesting in connection with the discussion the Senator has presented.

Mr. REED. Mr. President, I thank the Senator. I have seen that and similar articles. Great numbers of them can be produced; but that is a very illuminating one.

Information was given the other day that we had just driven a man out of this country, with the result that millions of dollars worth of contracts were canceled and that immediately he went over to Canada and made \$5,000,000 of contracts over there. That is the substance of the statement.

Mr. SMITH of Georgia. If the Senator will pardon me a moment, it appears, therefore, that yesterday morning, or within the past 48 hours, the London Times announced that the British Government, with the soviet government, had subscribed to a \$50,000,000 corporation which was to be backed by additional English money, by a loan from the Government, to facilitate trade and purchases from Russia by the soviet government in England. That is the definite statement that I presented.

Mr. REED. Exactly; and, Mr. President, that is the difference between the hard-headed, practical business sense of British statesmen and the tearful sentimentalism of some American Senators. An Englishman will receive a representative of the bolshevist government and receive his gold and will send him back goods at a good round profit. An American will kick the representative out, refuse his gold, have his goods upon his hands, and discharge the labor of the country which would be manufacturing other goods if the market was open. It exactly illustrates what we have been doing here for a long time.

Mr. GORE. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. REED. I yield to the Senator from Oklahoma.

Mr. GORE. The Senator may have said, or he may have intended to say, but I wish to call it to his attention so that he will not overlook it, that the very day our Secretary of Labor, Mr. Wilson, gave out his statement in regard to the deportation of Mr. Martens, the Russian representative, the president of the British Board of Trade entertained the Russian representative to Great Britain at a dinner party. I think his name was Leonine Krassin.

Mr. REED. Mr. President, I rose to talk two minutes, and having talked this long I am going to mention something else.

A good many things have been suggested to benefit American trade and American economic conditions. Anybody who has any sense at all recognizes the fact that when you go through a great war of this kind, when you unsettle the ordinary machinery of trade and commerce, no matter how wisely the war is conducted, no matter how prudently men may act, there is going to result a period of economic distress and readjustment which is bound to be serious to any country, however well managed or financed. The business of government is to reduce to a minimum the disturbance which may come.

Naturally, many people have the idea that the Government should step in and, by direct interference, rectify the evils, make up the losses, and act as a sort of a sister bountiful to the entire country. With people of that type of mind I have no quarrel, except that I do not agree with them that we can do very much in that way. But with the people who interfere with the natural processes of trade and commerce, which would heal the wounds and lessen the blows of war, I have a very serious quarrel.

We have talked here some—and I am not going to debate the question—about helping out by special tariff acts. I am not going to debate it. I simply think it will not do any good. I make that remark in passing. We passed the other day over the President's veto the joint resolution reviving the War Finance Corporation, which was protested against by the Secretary of the Treasury. I suppose he prepared the veto. That may do a little good, and it may not; I do not know. But one thing I do know is this, that if you are to have a great and continuing remedy, you are going to find it in increased production, which gives work to everybody, so that they will have something to buy with. You can not have all that increased production and a market for it and then arbitrarily close the markets of the world.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 3390) to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production; and for other purposes.

Mr. REED. When any man undertakes to close the markets of 180,000,000 people, a population almost twice as great as that of the United States, and to refuse to accept their gold on the ground that they have not got an abstract of title with each dollar, and then at the same time proposes that we shall carry our goods over there and transmute them into shipplasters, he is a very poor kind of an economist.

My own humble judgment is that the only way to heal the wounds of war is to put into operation the healing processes of peace. If we have a shortage of wheat in the world, transform the battle fields into wheat lands and raise a crop as quickly as we can. If we have a shortage of boots and shoes and enormously high prices, make two pairs of shoes where one is needed and the prices will go down. If we want to pay the debts incurred during the war, manufacture and raise stuff and sell it to somebody for money. If we can have the world for a market, we can start many a spindle and many a wheel in this country that is now idle.

Let us see what our policies have led to. We have certainly encouraged the war of Poland with Russia. We have denied ourselves the market directly of 180,000,000, refusing to take any gold from Russia, whether it was Rumanian gold or Russian gold, and, of course, refusing their shipplasters because they are worthless.

We have maintained for two years, aye, for two years and over a month, a condition of technical war with Germany, and trade has been circumscribed and in some cases prohibited. There are 66,000,000 to 68,000,000 more people that the wise policy of the Government has denied us the opportunity to

trade with freely by delaying peace. In the meantime we do not do this because of hatred, but because while, when we appropriated the first \$100,000,000 for charity or aid in 1919 we excluded Germany and Austria, yet in the \$50,000,000 appropriation made in 1920 we included Austria and Hungary.

If we are giving people a part of \$50,000,000, we are not desiring to punish them or starve them any more. The day of starving people and hating people seems to be partially past. Why should not we have opened up every kind of trade and commerce with them nearly two years ago? England has been doing it, France has been doing it. Germany has been invading Russia and selling her goods in Russia. Now, all this, it seems to me, in a large way accounts for some part, a considerable part, of our present economic disturbance.

I want not to be put in the light of refusing the hand of charity to suffering peoples, but I would not send food to sustain the civil population of a country that was using its resources to maintain a battle line 1,600 miles long unless I was ready to directly enter that war. It is just as long as it is short whether we sustain the family while the old man goes out on the battle field and fights, and thus leave the resources of the family to be all turned over to him, or whether we sustain him directly. I have not any doubt if it had not been for this backing up, this support that we gave to Poland, if Poland had not expected aid—indeed her musical premier, Mr. Paderewski, declared that Europe had abandoned them, the Allies had abandoned them, and I think he included us—if it had not been for that they never would have invaded Russia and we probably would have had much earlier peace in Europe.

I think the thing to do is to get peace with all parts of the world, open up trade with all parts of the world, take good money that is handed us from all parts of the world. Then when these nations have settled down to peace and are trying to help themselves, if we can send them a little additional aid, if we can give clothing for children either out of private funds or public funds, I am ready to contribute and cooperate.

I have taken so much time that I apologize for it.

Mr. KELLOGG. Mr. President, I shall occupy the attention of the Senate only for a moment. I agree with the Senator from Missouri [Mr. REED] that the United States should encourage and expand its foreign trade. We must remember that our balance of trade last year approximated \$4,000,000,000, and the foreign commerce of the country was about \$14,000,000,000, the largest, I think, by something like \$8,000,000,000 that any country ever had in the history of the world prior to the war. Unless we maintain some considerable portion of that foreign commerce we will not be able to find a market for our farm and manufactured products.

I agree that we ought to have declared a state of peace with Germany—I voted for it—and that we ought to have resumed our diplomatic, consular, and trade relations with Germany. All the other Allies have done it and are trading with Germany to-day, but the only trade we have with Germany is carried on through the license of the President. What the world needs is peace and the resumption of business conditions. What we need is to encourage as far as possible our foreign trade to establish a market for the surplus of our farm and manufactured products.

However, I shall not discuss the condition of Russia or Poland or the state of war. I would like to say a word on the subject of the expenditure of the \$100,000,000 appropriation and the \$50,000,000 worth of flour which we subsequently appropriated to aid starving Europe.

I wish to say here that I am sure that Mr. Hoover and the Grain Corporation officials who shipped these products to Europe and handled them did not misapply them. I believe they were applied as the act of Congress intended they should be applied, honestly applied and efficiently applied.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Minnesota yield to the Senator from Tennessee?

Mr. KELLOGG. Certainly.

Mr. McKELLAR. In that case, does not the Senator think that it is proper that Mr. Hoover should render an itemized accounting that anybody can understand, or that any reasonable person could understand, showing what has been done with this large amount?

Mr. KELLOGG. Certainly. I did not know until this morning that a complete accounting of the details had not been made. Until the Senator from Tennessee read it, I supposed it had been made. But the duty is upon the President to make the accounting, and if he wants to call for more details than have been furnished he should do it. I have no doubt Mr. Hoover will furnish every detail that is within his knowledge.

Mr. PHELAN. Mr. President—

Mr. KELLOGG. I yield.

Mr. PHELAN. I understood from the reading by the Senator from Nebraska [Mr. HITCHCOCK] that the report of the Grain Corporation was made to the President of the United States.

Mr. KELLOGG. Yes.

Mr. PHELAN. The money, however, was appropriated by Congress. It was my purpose, if I secured recognition of the Chair this morning, to have moved that it be referred for investigation to the Committee on Agriculture and Forestry or some proper committee, because I am personally aware that the Grain Corporation, under Mr. Barnes, made an injudicious purchase of Japanese beans, to the great injury of the bean industry of my State. The farmers there have petitioned me to bring the matter up on the floor of the Senate to determine the culpability of those in charge of the very Grain Corporation whose virtues are being extolled. I know it to be a corrupt purchase through the agents of the Grain Corporation, because I have seen the evidence in the office of the Attorney General.

Mr. KELLOGG. I do not know anything about the purchase of beans in California. The Senator can air it and talk about it all he pleases. I do know Mr. Barnes, and I know he is not corrupt; I know he is an efficient and able administrator of the Grain Corporation.

Mr. PHELAN. Mr. President—

Mr. KELLOGG. I am speaking now and I decline to yield further. I want to make a brief statement and then the Senator from California can speak the remainder of the afternoon, if he so desires.

Mr. President, we must remember that the hundred million dollars was appropriated by Congress, and the circumstances of the appropriation were as follows: The President cabled here a message asking Congress to appropriate \$100,000,000 for the aid of certain countries, excluding the belligerent countries. The President was authorized to expend the money for the benefit of the people in those countries and to make a report to Congress. We voted that money. If it should not have been voted, Congress ought not to have voted it.

I do not believe that that money was expended other than according to the terms of the act of Congress, or that it was expended for the armies of Poland. I do not understand that Mr. Hoover's testimony, which I have heard read, and which was the first time I had ever heard it, contradicts that statement. It is true Mr. Hoover spoke about the armies on the front of Poland with 700,000 men engaged, and that, of course, did not tend to relieve the distress of Poland. We knew the condition of Poland and her armies when we voted the money. If Congress did not wish to vote it, they should not have done so.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. I do.

Mr. REED. If the Senator from Minnesota will read Mr. Hoover's appealing testimony, he will have no difficulty in ascertaining why we did it. It was because Mr. Hoover asked for it.

Mr. KELLOGG. The gentleman who distributed this fund in Poland said it was not furnished to the army, but to the civil population.

So far as the \$50,000,000, which was subsequently voted, is concerned, the Senate will remember that that was voted in flour. The Grain Corporation was authorized to sell \$50,000,000 worth of flour. It sold that flour to foreign Governments, as it was authorized to do, and received the obligations of foreign Governments. We understood when we made that appropriation the conditions under which it was made, and that we might take a good deal of risk as to whether or not those obligations would be paid. I do not know that there are any details further that could be reported, but I am sure that if the Grain Corporation has any other details and Congress wants them, it will be very glad to give them. It may be that the flour was simply sold to the Government of Poland and the other Governments for a lump sum and their obligations taken for it; it is quite likely that was the case. If that was the case, of course this Government had nothing to do, and the Grain Corporation had nothing to do, with distributing the flour in those countries; I am not advised as to that. I do not believe, however, that the gentlemen who had to do with the distribution of this money, which was voted for charity, misapplied it in order to carry on war in Europe.

Mr. PHELAN. Mr. President, the Senator from Minnesota [Mr. KELLOGG], replying to my observations on the Grain Corporation, said that he personally knew Mr. Barnes, who was the president and in control of that organization, and that he would not believe any ill of him. I have made no accusation



against Mr. Barnes, but I reiterate what I said, or intended to have said, that at a time when the warehouses of California were filled with beans which had been raised by our farmers an agent of the Grain Corporation, representing that corporation, I believe, in the State of Michigan, which is a bean-growing State, contracted through a broker in San Francisco for the purchase of Japanese beans. It developed that there was a corrupt arrangement between these two men, one representing the Japanese bean owners and the other representing the Grain Corporation. Mr. Barnes's attention was called to the matter and he was very much distressed, but that did not cure the situation. There was no exposure and no prosecution, so far as I am aware.

My constituents communicated these facts to me at the time, and I learned that an investigation had been made which verified all that I have stated. I was confidentially permitted to read the findings deposited in the Department of Justice. It is now time for investigation and for the bringing out of their hiding places all those who have perpetrated fraud upon the Government or upon the people. I now state, believing that no confidence is being violated by me, that the report in the possession of the Department of Justice shows that there was such a corrupt agreement. As a result, our bean farmers, who are very numerous in California, were unable, as they might reasonably have expected, to sell their beans to the Grain Corporation for foreign relief because they were purchased from Japan. Whatever may have been the economy in the transaction, I know nothing. I do not think this was material to the traffickers. A corrupt agreement between the agent of the corporation and the representative of the owners of the Japanese beans existed to the loss of our farmers who had been encouraged to grow beans. I think it is a reflection upon the administration of the Grain Corporation that this matter was not ventilated in order to protect other farmers against such practices, vain promises, and consequent betrayal. Why help Europe, and incidentally Japan, at the cost of American distress? "Look to your own home" would be a good motto for charity mongers. The plight of American farmers should be an object also of solicitude.

Mr. KELLOGG. Mr. President, if the information to which the Senator from California refers was furnished to the Department of Justice, I suppose the Department of Justice was the one to prosecute, was it not?

Mr. PHELAN. I am impartial in my condemnation of recreant public officials; if they failed to prosecute, they deserved the blame; but I think that the purpose of the Grain Corporation was not to stir up a matter of that kind at a time when we were at war, thus shaking the confidence of the people. And as I recall, there was no prosecution.

Mr. KELLOGG. But the Senator does not claim that Mr. Barnes was the man who did it?

Mr. PHELAN. I do not; but he was the head of the Grain Corporation, and it was his agent who was involved.

Mr. KELLOGG. He had no knowledge of its being done at the time, had he?

Mr. PHELAN. I should be very sorry to believe that he had; I do not think so; I am making no accusation against Mr. Barnes; but, inasmuch as he was the head of the Grain Corporation, he should have prosecuted or have provided a remedy. Then the farmers asked him, in order to make some reparation, to buy their beans, to take their product off their hands, because they had raised the beans at the instance of the Food Administration, in order to supply the needy mouths of Europe, and having produced them under that stimulation they were denied and defrauded.

Mr. GRONNA. Mr. President, I wish to corroborate the statement of the Senator from California [Mr. PHELAN]. I desire to say that Mr. G. A. Turner, a prominent and respected citizen of the Senator's State and president of the Bean Growers' Association of the State of California, came to this city and appeared before the Committee on Agriculture and Forestry. He made a statement with regard to the production of beans and with regard to the promises made by the Food Administration if the growers of beans in California would go into the industry and produce as large a quantity of beans as they possibly could. I ask unanimous consent to have printed in the Record at this point excerpts from the statement of Mr. Turner, which was printed in the hearings before the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

STATEMENT OF MR. G. A. TURNER, STOCKTON, CALIF., PRESIDENT OF THE CALIFORNIA BEAN GROWERS' ASSOCIATION.

We produced last year more than twice the quantity of beans that was ever produced in California and came into the market in a very disastrous season as to weather, with a shortage of help that all

farmers encountered, and no market for our product, due primarily to the regulations of the Food Administration, and the trade embargoes on export and other regulations.

The business offered us, the only available business, was through the Food Administration or Grain Corporation, and the first business that was offered us occurred in December. Our crop was harvested in September, October, and November, and the first business was offered through the Food Administration's branch in San Francisco. We were invited to participate in it and questioned as to the prices we wished for our commodity. We told them we had a huge amount of beans and were very anxious to sell them and would be very glad to cooperate with the Government on any reasonable basis; that we felt the price should be regulated by the price that the same variety and quality of beans could be purchased at in the open market. On that basis we furnished something like 4,000 tons to the Food Administration.

We made inquiry to ascertain what the reason was that we were not selling beans when there was such a huge demand for food, and it developed that our Government was purchasing, at prices in some instances above those that the American product could be bought for, oriental beans. These beans were all furnished to the Belgian relief and other reliefs, and it develops in the sale of this surplus Army food that our own Army was supplied with oriental beans, while the American farmers' beans remained on their hands. We still have a huge amount of beans in California that are practically unsalable.

The market was doing very well just before this agitation to reduce the cost of food, but since it started the buyers have ceased to make purchases, and the result is that we are loaded up with a lot of 1918 beans, with a new crop coming on.

An investigation was held at New York by the Grain Corporation in reference to these oriental purchases, and it developed there that some undue influence was used to divert that business to the foreign product without the knowledge of the executives of the Grain Corporation. Mr. Barnes was so exercised over the developments that the chiefs of the bean-purchasing departments were removed. But we still have our American beans.

More than half of the California crop was actually sold below the cost of production. What the remaining crop will be sold at is yet to be determined, but the result of this action has reduced the acreage in California fully 40 per cent. Unseasonable weather will reduce the yield further, and I am confident that we will not produce half as many beans this year as we did last year.

A very, very disastrous situation has developed among the poorer farmers, many of them are renters who have been compelled to give up their ranches and have gone to work for daily wages.

The bean growers have repeatedly offered these goods to the Government, and have done everything they could to cooperate with them, but the situation is just as I have expressed it. It seems, for some reason that no American I have met can justify that American money was spent for the oriental products, and the American product remains in the hands of the producer.

Senator WADSWORTH. By any chance was the oriental bean cheaper?

Mr. TURNER. Not generally. There never was a time when the Government could have presented to the growers an order that we would not have underbid on against the cheap oriental labor when we sold our beans. We never had an opportunity to figure a price in competition with them. If the ruling price in the market was above what the Japanese product was sold to them at, it was because the American producer did not know the business was available and did not have a chance to bid.

Representative VOIGT. Were the 4,000 tons that were sold sold above the oriental price, or do you know?

Mr. TURNER. I would not be able to tell you that. I do not think they were; in fact, I do not think they were as high.

I think there were purchases made in December of oriental beans at prices in excess of what the California beans sold for. We sold beans according to variety, at 5 cents a pound, 6 cents a pound, 7 cents, and 8 cents. There were lots of oriental beans bought at 8½ cents.

Senator WADSWORTH. Were those oriental beans shipped into this country and then shipped abroad, or were they shipped direct from the place where they were raised?

Mr. TURNER. No, sir. There were lots of those beans brought in here in bond, and the American product was deprived of the protective tariff by virtue of their having been brought in in bond and shipped to Belgium and other reliefs without paying duty here. Of course, that worked, perhaps, to reduce the cost to the Food Administration, but it did not protect the American product by any means, because they exercised that method of depriving the Government of the revenue on imports, and also placed the oriental bean more keenly in competition with the American product.

We do not claim that the Americans can produce beans as cheaply as the orientals, and we feel that with this huge production, which was far beyond any possible domestic consumption, we were entitled at least to the cost of production even if our price was higher than the oriental product.

Representative HEFLIN. Did you offer to sell your beans to Mr. Hoover?

Mr. TURNER. Why, repeatedly. I was in consultation with the Food Administration almost daily.

Representative HEFLIN. What answer did they make to you?

Mr. TURNER. That there was no business at present. That evidence is all tabulated, and I think the findings of that investigation are now before the Department of Justice.

Representative HEFLIN. How many beans do you say you have on hand now?

Mr. TURNER. Personally I have over 600,000 bags in the association. Representative HEFLIN. If you could get them on the market now, it would help the food situation, would it not?

Mr. TURNER. Very materially. Within the last 30 days I have sold beans to the trade at 3 cents a pound that last year sold for 10 cents a pound—good, wholesome food. We have beans there ranging from—well, the cheap beans are all sold; the 3-cents-a-pound beans are all cleaned up. We have beans at 7 cents and 8 cents, and the 8-cent variety was commandeered by the Government last year at 11½ cents a pound.

Representative HEFLIN. You have no fear, then, that you will be reached in the prosecution of the profiteers?

Mr. TURNER. I have not any fear in the world as to that. If they will only agree to reimburse our loss, they can take them all.

Representative HEFLIN. I do not want to see anything done that will injure the producer in any way, and I am in favor of his having a fair and reasonable price, and I think he ought to be encouraged all along the line. You said a little while ago that the Food Administrator bought

oriental beans, destined for the Allies, at a time when you were offering to sell your beans?

Mr. TURNER. Yes, sir.  
Representative HEFLIN. And that you would have sold them your beans more cheaply than they bought the oriental beans?

Mr. TURNER. If we had had an opportunity.  
Representative HEFLIN. When you offered to sell him your beans at the time he was buying oriental beans, what reason did he give you?

Mr. TURNER. He bought the oriental beans before we knew they wanted them. They kept telling us they did not want any beans, and we never had an opportunity to compete.

Representative HEFLIN. What is your idea of the reason for that step on the part of the Food Administration in your State in buying the oriental beans instead of beans produced in that State?

Mr. TURNER. I would suggest that you get the evidence that was taken at that investigation. I think that will answer the question.

Senator FRANCE. Where can that be obtained?  
Mr. TURNER. We had an investigation at the Grain Corporation of that transaction and the evidence is available there.

Representative HEFLIN. Could you tell us in a word just about what that evidence showed?

Mr. TURNER. I would prefer not to. There are newspaper people here and we were told that evidence was not to be given publicly, and while I think you folks ought to have it, I do not feel that I am at liberty to state it.

Representative HEFLIN. I think the country ought to know if the Government has discriminated against an American industry in favor of an oriental industry.

Mr. TURNER. You can certainly get that evidence. There are a thousand pages of it.

Senator FRANCE. It has been printed?

Mr. TURNER. It is typewritten and it is available.

Senator KENYON. Who ordered that it be kept secret?

Mr. TURNER. It was at the suggestion of some of the officials in the Food Administration.

Senator KENYON. Oh, it is in the hands of the Department of Justice, is it?

Mr. TURNER. I believe it is now.

Representative JONES. You did mention, I believe, several gentlemen who were relieved of their duties?

Mr. TURNER. Yes, sir.

Representative JONES. Who were they?  
Mr. TURNER. I would prefer not to mention their names. Personally, I am very anxious that you get access to all those findings, but there has been quite a little excitement over this. Certain papers endeavored to get the evidence and publish it, and I know they are eager for the story.

Senator RANDELL. Have you any practical suggestions to make to Congress? We are all trying to arrive at a solution of these troublesome questions.

The CHAIRMAN. Pardon me a moment; I want to follow this up. At whose request were those hearings held that you refer to?

Mr. TURNER. Well, it emanated from the Michigan bean jobbers, I think. They started the investigation. I came on while it was in session, and Mr. Moore, of the Grain Corporation, invited me to sit in, and I was present for several days.

The CHAIRMAN. Where was it held?

Mr. TURNER. At the Food Administration's offices at 42 Broadway.

The CHAIRMAN. Were there charges made against certain individuals or corporations who were buying beans from your people for speculation, or were there Government officials involved? I do not care to have you mention any names.

Mr. TURNER. None of the officials were involved, but there was a grave question as to the regularity of the actions of some of the personnel of the bean-purchasing department.

The CHAIRMAN. But whatever beans were purchased were purchased for the Government?

Mr. TURNER. For the Government; that is their business.

Representative HEFLIN. Can you tell this committee what reason they gave you for buying oriental beans instead of buying your beans?

Mr. TURNER. The only tangible reason was that certain consumers, or certain interests that they were buying for, specified oriental beans; but we were financing those operations with American money and dictating in large measure what we would give them, and it seems to me, and always has seemed to me, that if the parties who were filling those orders had the American producer in mind, inasmuch as this was American money they were using, they could very easily have used our beans.

Representative HEFLIN. I think they should have purchased American products where they could. But the reason they gave you was the people in Europe, our allies, who wanted beans, designated the kind of beans they wanted?

Mr. TURNER. Yes.

Representative HEFLIN. And that they purchased those beans for them?

Mr. TURNER. According to instructions.

Chairman HAUGEN. Have you any knowledge of any prosecutions in your part of the State?

Mr. TURNER. No, sir; I believe not. There has been a lot of extravagant talk about contemplated prosecutions, but there has never been any definite information to that effect brought to my notice.

Chairman HAUGEN. I think we have it as a well-established fact that the high cost of living is largely due to profiteering.

Mr. TURNER. I have not any doubt of it.

Chairman HAUGEN. We have a statute making it possible to prohibit profiteering, and have had since the 10th of August, 1917. You know of no prosecutions?

Mr. TURNER. Not definitely; no.

The CHAIRMAN. Judge Eames stated before the committee yesterday that the President had had the power from the time the law was enacted. The department has had the information from the Federal Trade Commission, continued in its letter to the President and its report of June 29, pointing out the gentlemen that are responsible for the high cost of living.

Mr. TURNER. I do not know of any definite case.

Senator KENYON. How long has the department had this information concerning the beans?

Mr. TURNER. This investigation was in February.

Senator KENYON. And when was it completed?

Mr. TURNER. It was completed in February, as far as the taking of testimony of various people that were involved, but there were further investigations carried on after we went home. When they terminated the investigation I can not tell you. It was a very intricate proposition, involving lots of side lines, and it is quite illuminating. I think you will have a very good picture of the whole situation once that evidence is before you.

Mr. GRONNA. It is true, Mr. President, that Mr. Turner stated that large quantities of beans had been imported—I think he said from the Orient; at any rate, from some foreign country—when it was known to everybody that the warehouses of the bean growers of the State of California were filled with that product and that they had been promised that their beans would be purchased by the men whom the Senator from Nebraska [Mr. HITCHCOCK] and other Senators have lauded here this afternoon for the splendid work they have done.

Mr. President, I could cite many instances, if I wanted to take up the time of the Senate, where delegations composed of men whose honesty is not and can not be questioned, representing agricultural associations and cattle raisers of the country, and many others in addition to the bean growers and the wheat growers, have condemned in the strongest terms the action of the Food Administration. It is true that statements have been made before committees of Congress by men representing these industries that not only unfair treatment had been accorded but grave injustice had been done to the producers, not only of the State of California but of the entire country.

#### ACQUISITION OF OIL LANDS BY FOREIGN GOVERNMENTS.

Mr. McKELLAR. Mr. President, on Monday last I introduced a bill, being Senate bill 4747, in reference to the exportation of petroleum. That bill, generally speaking, provides that oil shall not be exported to those countries which decline to permit American oil producers, or, rather, American nationals, to own and acquire oil land in such foreign countries. I may say that I was led into an investigation of this question in this way: During my investigation of the subject of England paying to us the past-due interest on her loans I found that she was spending enormous sums to acquire control of the petroleum supply of the world. She, it seems, has plenty of money to invest in petroleum companies; she has money to invest in petroleum lands and to acquire petroleum fields throughout the world, but she does not have enough money to pay the interest on the debts she owes the United States on account of great sums of money which had been loaned to her for the purpose of protecting her Empire. In making this investigation I found that since the war the British Nation had acquired oil rights in Persia, in Mexico, in the United States itself, in Mesopotamia, in Palestine, in Venezuela, in Rumania, and she was attempting to acquire oil rights in Russia and in various other parts of the world. In other words, wherever in all the world she could acquire oil rights the agents of her Government and her nationals, with her aid and help, were attempting to acquire those oil rights.

I found further that while she was thus attempting to acquire oil rights, and while she was acquiring oil rights in this country, at the same time she was excluding American nationals and the nationals of other Governments from prospecting for oil or acquiring any oil rights in practically all of her Provinces, her dominions, colonies, mandatories, or her spheres of influence. Wherever she had control Americans were excluded from acquiring oil rights.

I found that this was not the result of accident, but that it was the result of a plan which had been adopted by her statesmen looking to the complete and early control of the oil supply of the world, realizing as she did and as they did that the control of the oil supply of the world means her dominance in the commercial affairs of the world.

I found, further than that, that she had recently made a treaty with Persia by which she had acquired oil rights in some 500,000 square miles of territory—indeed, it was the whole of Persia, as the Senator from Oklahoma [Mr. GORE] suggests—and Americans were promptly excluded from acquiring any rights there. I found that she had acquired and was enlarging the Anglo-Persian Oil Co. for the purpose of controlling the supply of oil and the distribution of oil.

I found that she had acquired a majority ownership in the Royal Dutch Shell Co., which owns enormous properties in the United States and elsewhere. It is believed that that company owns one-third of all the enormous supply of oil in California. It owns vast supplies of oil in Oklahoma and in Texas. It is one of the great oil-producing companies of the world. It is backed by the British Government, by money furnished by the British Government. At this time, when it is claimed for her that she is too poor to pay the debt that she honestly owes the United States, or even the interest on it, yet she has the money to invest in oil fields and in oil companies for the purpose of controlling the supply of oil of the world.

I found that last summer she and France had entered into an agreement, known as the San Remo agreement, from the little place in Europe in which it was made, by which she alone was to exploit and control the oil in Mesopotamia and Palestine, of which she had but recently become a mandatory, and she was



to give France 25 per cent of it, and she herself was to keep 75 per cent of the oil supply in those countries, believed to be one of the greatest oil fields in the world. At the same time in that connection I found that an American company had got a concession from the Turkish Government to go there and prospect for oil, and it had already built a railroad for the purpose of carrying supplies in order to do the prospecting in Mesopotamia; but as soon as England became a mandatory for that country that work was stopped, and the American company was not allowed to proceed with it, and it has not proceeded with it yet.

Thus it will be seen, Mr. President, that our nationals have been excluded from the rich oil territories controlled by Great Britain, and at the same time Great Britain is getting more than 50 per cent of her oil supply from the United States, and is being allowed to buy and own and produce oil in our country just the same as our own citizens are permitted to produce oil in our own country.

More than that, I found that she was buying oil in Atlantic ports at from \$1.75 to \$2.25 a barrel, and in Pacific ports at from \$2 to \$2.55 a barrel, hauling that oil to her supply stations all over the world, I am told, at a cost of about 50 cents a barrel, and whenever American ships had to have that oil in eastern ports they had to pay from \$7.75 to \$12 a barrel for the same oil, American oil, that England bought at \$1.75 to \$2.50 a barrel—some four times as much.

I found, further, that England does not permit American supply stations to be built in territories or dominions controlled by England. For more than a year America has been undertaking to have a supply station at Ceylon for the purpose of supplying our ships with oil. Our ships can not take a supply sufficient to go around the world. They have to renew their supply when they take such long voyages as voyages to India and to other parts of Asia, and it is absolutely necessary that we should have supply stations over there; but England has been holding up those supply stations. An application for a permit at Ceylon that was made by the Shipping Board, as I understand, more than a year ago, has never been acted upon; but it has been suggested that we could have a supply station at some out-of-the-way place where our vessels would have difficulty in getting to.

In other places in English territory she has refused and declined to permit oil stations to be established. I am told that our ships frequently carry cargoes to Egypt and other English territory—especially to Egypt, which my information is about—and that those American ships can not bring back cargoes, because England has prescribed that goods exported by Egypt must be exported in British bottoms and not in foreign bottoms, and that the United States even has to buy sand as ballast in order to bring her ships back home.

Mr. President, this discrimination against American trade and commerce—this discrimination about a product as to which America produces over 60 per cent of the entire production of the world—is a monstrous discrimination. It is a discrimination that this Government ought not to stand for. As early as last March the Undersecretary of State, Mr. Frank Polk, formally complained of it, but nothing was done, and a month or six weeks ago, Mr. Colby, our Secretary of State, formally complained, but England has not listened to the complaint; and she will not listen to the complaint until this Government takes those steps that she ought to take, because the United States has the whip end of the handle, and she is able to make England come to terms if she uses American oil; and she must use it.

Mr. President, the bill that I have introduced simply provides for a reciprocal agreement. I am sure it will be declared a fair bill. All that it states is that other nations must do unto America precisely as America permits other nations to do unto her.

In other words, American oil fields are free to all the world, with the one exception of oil on territory belonging to the Government itself. There is some little modification of that open-door policy on lands closed by the Government, but I understand that restriction is not being adhered to; but virtually all American oil fields are absolutely open to the nations of the world and to the nationals of every nation of the world, whereas all British oil fields are closed to all America. That is a condition that no self-respecting nation should stand for for a moment, as it seems to me, and especially about a matter that is so vitally important to our trade and commerce as oil is.

Mr. President, my only purpose in calling this matter to the attention of the Senate and the country is that American rights might be protected. I have no feeling against England. Some of my forefathers were Scotch and the others English. I admire England. I admire the English character and the English tenacity of purpose. I admire her attempts to obtain control of the oil supply of the world. But I do not think we will be good Americans if we stand idly by and let her gobble

up the oil supply of the world if we can prevent, and we can easily prevent it. She is producing, as I understand, in the only well that there is in England, some 32 barrels of oil; and yet this nation, having in her own territory only one well with a product of 32 barrels, is undertaking to control absolutely the oil supply of the world. It seems to me to be a gigantic task under such circumstances, but if she can do it, all honor to her; but I do not want her to do it at the expense of the American people and of American commerce, and that is my justification for bringing these matters to the attention of the Senate and the country at this time.

Mr. President, the petroleum situation in the United States is of vital importance at this time to our whole country and to the world. The oil resources of the United States are nothing like as large as is commonly believed. According to experts we own only about one-sixth of the oil supply of the world. It would thus appear that it would be just a question of time when our oil resources will fail unless we take measures to conserve them, because while we own only one-sixth we are producing some 70 per cent of the whole supply of oil.

We are large consumers ourselves, but practically all the nations in the world that use oil in its manifold uses are dependent largely upon the United States and Mexico for their supply of oil.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator yield to the Senator from North Dakota?

Mr. McKELLAR. I yield.

Mr. GRONNA. I am very much interested in the Senator's statement, and if he will pardon me for making just a brief statement, I want to say that the State which I in part have the honor to represent is, of course, deeply concerned over this question of oil.

During recent years what we call tractors have been sold in large numbers in the western country. To a large extent the work has been done by petrol power. But I am frank to state that so far as my State is concerned we are compelled to go back to the old system of using horses or mules. We can not afford to pay 38 cents a gallon for gasoline, which is the price which we had to pay last year. We can not, I say, afford to operate the tractors and pay 38 cents a gallon for cheap gasoline. The cost of gasoline affects not only the farmer but it affects the manufacturers of the tractors; it affects the manufacturing industry just as much as it affects the farmers. I am quite sure that I am correct in making the statement that not one-half as many tractors will be used in my State in the future if the price of gasoline is kept up to the high figure which we paid last year. At least one-half, perhaps more than that, will be compelled to use either horses or mules to operate their farms.

Mr. McKELLAR. I am sure the Senator is correct about the restriction on the uses of machinery in this country due to the high price of oil, and I am glad to have the Senator bring those facts before the Senate.

It will be remembered that other nations are using our oil without let or hindrance and conserving theirs; and when I say other nations I mean principally Great Britain, because Great Britain is rapidly gaining the control of the oil supply of the world.

The demand for oil by our Navy and by our merchant marine and by the navies and merchant marines of the world is constantly increasing. Naval vessels burning oil are enabled to travel about 3 knots per hour faster than vessels of the same kind using coal. Merchant ships using oil can travel faster than those using coal. They can go longer distances. It is more easily carried; it is more easily fed. Therefore it is of the greatest value, and any nation without it is going to be at the most serious disadvantage in the future.

English statesmen realize this fact, and they are perfectly willing for the United States, their only real rival in the commercial world, to use her oil up as rapidly as possible, when they will fall back on their supply and let us have just what they desire us to have.

I say use our supply as rapidly as possible, because the experts of this country unite in stating that if the United States continues to produce and use oil as rapidly during the next 15 years as it has the last two or three years the entire supply of this country will be exhausted. So, if we are going to take our proper place among the nations of the world, if we are going to keep the defense of a great navy, if we are going to have a great merchant marine, as I pray God we will have, to carry our wonderful products to every port in the world, one of two things must come to pass, either we must conserve our own supply or our Government and our nationals must be permitted to obtain and own oil anywhere in the world; and it is that last proposition to which I wish to address myself particularly.

Our supply is being rapidly removed. I want to call the attention of the Senate at this time to the oil resources of the world.

Mr. Eugene Stebinger, formerly of the United States Geological Survey, gives the following figures as the petroleum wealth of the world:

	Barrels.
United States and Alaska	7,000,000,000
Canada	995,000,000
Mexico	4,525,000,000
Northern South America, inclusive of Peru	5,730,000,000
Southern South America, inclusive of Bolivia	3,550,000,000
Algeria and Egypt	925,000,000
Persia and Mesopotamia	5,820,000,000
Southeastern Russia, southwestern Siberia, and Caucasus	5,830,000,000
Rumania, Galicia, and western Europe	1,135,000,000
Northern Russia and Saghalien	925,000,000
Japan and Formosa	1,235,000,000
China	1,375,000,000
India	995,000,000
East Indies, controlled almost entirely by Great Britain	3,015,000,000
Total	43,055,000,000

Mr. President, it is not believed that this is all of the supply. Mr. David White, also of the United States Geological Survey, adds to that when he says this:

The evidence as to the probable presence of additional oil reserves in the areas just reviewed is in most cases insufficient to serve as a basis for more than the wildest forecast. However, these forecasts, or geological guesses, formulated conservatively, with the probability that deficiencies will be very much more than compensated by excesses, lead me to conclude that there are probably 20,000,000,000 barrels of oil available in the world in addition to the 43,000,000,000 barrels contained in the regions covered by Mr. Stebinger's estimates quoted above, or as much, in round numbers, as 60,000,000,000 barrels in all. Mr. Stebinger's estimate of the oil may be roughly distinguished as oil in sight; that of 60,000,000,000 as total recoverable oil. This estimate of the world's total recoverable petroleum resources, in which Mr. Stebinger concurs, may differ very widely from estimates by other geologists, but we regard it as fairly conservative. It will, we believe, fall considerably within the ultimate recovery of natural petroleum now remaining in the world's underground storage.

England and her nationals own a tremendous interest in Mexican fields, in oil fields in the United States, in German fields, in Russian fields, in Chinese fields, in East Indian fields, and West Indian fields. These, together with the supply mentioned in the foregoing figures, will give her control of nearly one-half of the world's resources. The oil wealth of America, as compared with the rest of the world, is small. On the other hand, the oil industry or production in America is tremendous, and at the present time she is supplying the rest of the world with 70 per cent of what it uses.

Since the war England, both through her Government and her nationals, has been taking energetic steps to secure as large a part of the oil supply of the world as possible. She has, indeed, gone into the oil business herself. She has obtained large grants in Persia, has taken over mandates containing oil fields, has organized companies in England, and, above all, has prohibited the nationals from any other country acquiring oil rights in any lands over which she has control. Contemplating our own tremendous production, it is evident that our Government should likewise take steps to guarantee our future oil supply. Our nationals should have the right to acquire oil lands and produce oil wherever it may be found, and if they are not given these rights, then we should shut off from our own supply the Governments and their nationals refusing to give us those rights.

In a statement made by Mr. George Otis Smith, Director of the United States Geological Survey, of November 18, 1920, he said:

Accepting the Stebinger-White distribution of the oil reserves, we may roughly set down the continents in order of wealth in oil as North America, Asia, South America, Europe, Oceania, and Africa. In terms of regional distribution more than half the world's oil reserves are believed to be concentrated in two intercontinental areas. One of these oil-rich provinces includes the North American and South American countries bordering the Caribbean Sea and the other includes the countries of west Asia and southeastern Europe, with the Caucasus as an axis. On these two areas, comprising about 2 per cent of the earth's surface, and each containing about 30 per cent of the world's future supply, is focused the attention of the great nations most in need of oil.

Mr. President, at this point I offer also, and ask unanimous consent to have included in my remarks, another statement by Mr. Smith, which I shall not read.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

Our present knowledge of the facts of the world's supply and demand is amply sufficient to warrant us in continuing to advocate the open-door policy. Much can be gained for all nations by pooling the world's resources of so essential a raw material as petroleum. With about 60 per cent of the world's future supply concentrated in two regions, while by far the greater part of the demand arises outside those oil-rich regions, there must be a world's commerce in oil. The United States has given to all comers, whatever their nationality, opportunity to acquire oil lands within its territory, and the new leasing law puts no limit upon foreign participation in operating public oil lands unless

there is absence of reciprocal treatment. Of course, any nation realizes that the adoption of the open-door policy need not involve throwing away the key. Not only has the United States been generous in welcoming foreign capital to our domestic fields, but it has been prodigal in marketing the products of American wells and refineries. Whatever our motive has been in winning so large a share of the world's oil trade, the record of the past fully justifies the United States in asking for reciprocity in the future from all other nations.

Mr. McKELLAR. I have given the oil supply. I want to give the production, to show the way in which we are going in our use of oil, and what we are doing with it. The United States comes first. I give the production of petroleum from 1857, about which time it became a commercial commodity, down to 1918, as follows:

	Barrels of 42 gallons.	Percentage of total.
United States	4,608,571,719	61.42
Mexico	285,182,489	3.80
Russia	1,873,039,199	24.96
Dutch East Indies	188,388,513	2.51
Rumania	159,332,023	2.02
India	188,143,000	1.41
Persia	14,086,063	.19
Galicia	154,051,273	2.05
Peru	23,587,000	.33
Japan and Formosa	38,498,247	.51
Trinidad	7,432,391	.10
Egypt	4,848,435	.07
Argentina	78,000	.00
Germany	10,664,121	.22
Canada	24,425,770	.33
Venezuela	475,546	.02
Italy	973,002	.02
Cuba	19,167	.00
Other countries	240,000	.02
Total	7,503,147,138	100.00

I call attention to the fact that the United States has produced 61.42 per cent of all the oil that has been produced. She is producing to-day 70 per cent of all the oil that is being produced, and she is producing it here in the United States, and she is being excluded from producing it anywhere else in the world except Mexico.

By the way, in that connection let me say that I was talking about this matter to a gentleman who had recently been to South America. He had been to the Republic of Venezuela. He said that while there he learned of vast oil deposits and he undertook to buy some oil lands in Venezuela. He soon found that he was competing with the English Government in buying those lands. He said that he had spent large sums of money for Liberty bonds, the money from the sale of which had been loaned to England, and he found by his actual experience in Venezuela that he was coming into competition with the very money that he had paid out for those Liberty bonds to help England win the war.

That was one of the reasons why I thought we ought to collect our interest from England. If she has money to go into the markets of the world and buy up the oil supply of the world, surely she has the money to pay the interest on her debts, on loans that were made to her for the purpose of protecting and defending and preserving her empire. It is wrong, morally wrong and governmentally wrong, for her to be permitted to use the money that is rightfully due our Government for any such purpose as this.

The figures I have given show the oil production of the world. I come now to the oil production of the United States.

#### OIL PRODUCTION IN THE UNITED STATES.

Formerly, Pennsylvania, New York, and Ohio produced the greater portion of oil mined in the United States, but the production in New York and Pennsylvania has fallen off from 30,053,500 barrels in 1882 to 8,726,483 barrels in 1915. In Ohio the yield has fallen from 23,941,069 barrels in 1896 to 7,825,326 barrels in 1915. On the other hand, the production of oil in California and Oklahoma has tremendously increased. In 1900 California produced 8,786,330 barrels and in 1915 produced 86,591,535 barrels, while Oklahoma produced 10,000 barrels in 1909 and 97,915,243 barrels in 1915.

By the way, companies in which the English Government is the largest stockholder own 33 1/3 per cent of this enormous production in California, and probably quite as much in the State of Oklahoma and in the State of Texas.

Mr. J. Ellis Barker, writing in the Contemporary Review, has the following to say about the production of petroleum in the United States:

The petroleum industry is one of the glories of the United States. It has developed from insignificant beginnings and has become a world-dominating force. American petroleum production has increased in the following extraordinary manner:



	Gallons.
1860	21,000,000
1870	220,951,290
1880	1,104,017,166
1890	1,194,590,024
1900	2,672,062,218
1910	8,801,404,416
1917	14,083,255,242
1918	16,000,000,000
1919	17,500,000,000
1920	18,900,000,000

That is an enormous increase. England got nearly one-third of the production from those fields, shutting us out at the same time from acquiring oil properties not only in her kingdom but in every dominion, in every mandatory, in every sphere of influence in the world that she controlled.

Mr. Barker continues:

The full significance of these figures becomes apparent only if we endeavor to convert them into more understandable measures. The mind can not easily grasp the meaning of millions and billions. The United States produce at present more than 50,000,000 tons (now 70,000,000) of oil per year. To transport it simultaneously in oil tankers, taking on an average 5,000 tons, a fleet of 10,000 ships (now 14,000) would be required. If the entire British merchant marine consisted of oil ships, it could not transport the yearly output of oil of the United States on a single journey. As a matter of fact, the yearly oil tonnage of the United States is considerably greater than the tonnage of the merchant marine of the entire world. If we convert the yearly oil production of the United States into carloads of, let us say, 10 tons, or into trainloads of 200 tons, and if we imagine all these oil trains standing on a single line of rails stretching over an incredible distance, we shall be able to realize the gigantic yearly production of the great Republic.

American petroleum production has expanded prodigiously since 1860. Its vastness may be gauged by the fact that entire forests were cut down merely to provide the barrels needed for transporting the oil.

In the United States there are over 100,000 miles of main pipe lines alone. They vary in diameter from 8 inches to 12 inches. The main pipe lines have a mileage which is fully four times as great as the entire mileage of the British railways and about four times as great as the circumference of the globe.

In a bulletin from the United States Geological Survey of date December 11, 1920, it is said, on the subject of production:

During the first 11 months of the year 409,000,000 barrels of petroleum were produced in the United States, as compared with 345,000,000 barrels during corresponding months of 1919. It seems assured, therefore, that 450,000,000 barrels will have been produced in the United States during 1920, an increase of over 70,000,000 barrels in the output of 1919. The figures for 1918, 1919, and 1920 are as follows:

1918	356,000,000
1919	377,000,000
1920	450,000,000

It is just a question of about 15 years of that kind of production when the United States will be going, with her hat in her hand, to England to get the necessary oil to lubricate her engines, if we continue this production without getting any more of the world's supply.

I digress long enough to say that we have been talking in the Senate to-day about the Russian situation. The statement has been made that England is now dealing with the Russian Government, and I have no doubt she is. She entered into an agreement with France last summer by which it is provided that whatever oil England or France is able to get in Russia, or whatever property they are able jointly to acquire, shall be used on a fifty-fifty basis to the exclusion of other nations. Russia is one of the greatest oil fields in all the world. She has quite as much oil in her boundaries as the United States has in hers and England has set out to obtain it.

While we are quibbling over trifles in this country England is looking after the main chance. She is entering into agreements to-day to acquire the lion's share of the oil in Russia—one of the richest oil fields in all the world. She has already acquired the rich fields of Persia. She has already acquired an immense interest in the oil fields of Rumania. She has already put everybody else out of the rich oil fields of Mesopotamia and Palestine. She has the largest holding in Mexico. She had Lord Cowdray there for years acquiring these holdings. She has the richest holdings, except one, in this country. She is acquiring oil lands in all the world and whenever and wherever she does get them it is to the exclusion of the United States. Wherever she gets it she has got control of the trade and commerce of the world for all time. No nation can take it away from her with her holding the oil supply.

I call attention to the fact that since the war was over, British statesmen in Parliament have said that she was going to control the supply of oil by 1922.

These enormous acquisitions show that they know what they are talking about, and that they mean what they say. We can not blame them. If we, the richest oil people in the world, sit idly by and let her take charge of them, what excuse can we offer? If we had been a member of the League of Nations, we could have prevented the San Remo agreement, we could have prevented the exploitation of oil in Persia; but we were not willing to take our place in that body, so what is left to us?

There is but one way to do it and that is, before letting England take our oil, to require her to open to our Government and to our nationals the oil fields that she controls. It is time that vigorous measures were being taken to conserve our supply of oil.

I wish now to call attention to a very wonderful statement of the oil situation by Mr. Franklin K. Lane, former Secretary of the Interior, and a great oil expert, as to the importance of the uses of oil:

It draws railroad trains and drives street cars. It pumps water, lifts heavy loads, has taken the place of millions of horses, and in 20 years has become a farming, industrial, business, and social necessity. The naval and the merchant ships of this country and of England are fitted and being fitted to use it either under steam boilers as fuel or directly in the Diesel engine. The airplane has been made possible by it. It propels the modern juggernaut, the tank. In the air it has no rival, while on land and sea it threatens the supremacy of its rivals whenever it appears. There has been no such magician since the day of Aladdin as this drop of mineral oil. Medicines and dyes and high explosives are distilled from it. No one knows whence it cometh or whither it goeth. Men search for it with the passion of the early Argonauts, and the promise now is that nations will yet fight to gain the fabled bed in which it lies.

In the report of 1919 Mr. Lane further says:

In 1908 the country's production of oil was 178,500,000 barrels, and there was a surplus above consumption of more than 20,000,000 barrels available to go into storage. In 1918, 10 years later, the oil wells of the United States yielded 356,000,000 barrels—nearly twice the yield of 1908—but to meet the demands of the increased consumption more than 24,000,000 barrels had to be drawn from storage. The annual fuel-oil consumption of the railroads alone has increased from sixteen and two-thirds to thirty-six and three-fourths million barrels; the annual gasoline production from 540,000,000 gallons in 1909 to 3,500,000,000 gallons in 1918.

Fuel oil, gasoline, lubricating oil—for these three essentials are there no practical substitutes or other adequate sources? The obvious answer is in terms of cost; the real answer is in terms of man power. Whether on land or sea, fuel oil is preferred to coal, because it requires fewer firemen, and, back of that, in the man power required in its mining, preparation, and transportation the advantage on the side of oil is even greater. So, too, the substitute for gasoline in internal-combustion engines, whether alcohol or benzol, means higher cost and larger expenditure of labor in its production.

#### WHY THIS DISCUSSION OF OUR OIL?

But, Mr. President, it may be asked, why this discussion about oil? What interest has the United States in it other than glorying in her marvelous production of it? Why should we concern ourselves in the supply and production of oil in other countries when we produce three-fourths of all the oil used in the world? Why should we worry about it?

There are two main answers and many less ones. First, our supply at our present rate of production will be gone, according to the experts, within 15 years, certainly within 30 years; and, secondly, Great Britain, while obtaining almost unlimited supplies of oil from the United States for her own use, prohibits the United States or its nationals from buying oil lands or producing oil in her own dominions or those of any of her protectorates or mandatories. What is the proof for these two statements?

I have already given the proof that our supply is being rapidly diminished by tremendous production. I now offer the proof that Great Britain is excluding America from obtaining oil in her dominions.

I have already given the reasons why this is an important matter for us to determine at this time. We have just built a stupendous merchant marine all at once, so to speak. It has been built during the war. It will be useless, almost, if we permit Great Britain to acquire control of the oil supply of the world and shut us out. There is no reason why this should be done. There is every reason why it should not be done.

#### BRITISH DISCRIMINATION.

I wish now to show something about Great Britain's discrimination. It is an interesting fact that the price paid by English companies and other nationals for fuel oil averages from \$1.75 to \$2.50 per barrel at Atlantic and Gulf ports and from \$1.80 to \$2.50 per barrel on Pacific ports. As more than 75 per cent of the oil produced in the United States is produced in the mid-west field, it means transportation to either the Pacific or the Atlantic ports, in excess of 1,500 miles. Of course, that is done by pipe lines.

This should be considered in dealing with this question when we consider the price paid by English companies for fuel oil at American seaboard.

On the other hand, oil produced by the British nationals in Persia and other foreign countries and transported a similar distance is sold to the United States Shipping Board, Navy, and other American shipowners at prices ranging from \$7 to \$12 per barrel, or more than four times the price charged in the United States to British shippers for fuel oil.

Mr. President, I have taken from an oil publication in London a statement showing what the British Government is doing in

the matter of oil. The Royal Dutch Shell Co. and its subsidiaries, in which the British Government has the controlling interest, are capitalized as shown in the statement which I desire to insert in the Record. There is therein given the capital both of the parent company itself and its subsidiary companies. It is second only to the Standard Oil Co. in this country. Its largest holdings are in this country and in Mexico, and if we permit it to go on it will control the oil supply of the world.

There being no objection, the statement was ordered to be printed in the Record, as follows:

ROYAL DUTCH AND SHELL.

An interesting list of subsidiary companies of the Royal Dutch and Shell group, as well as of companies controlled by that group which are not, strictly speaking, subsidiaries, has been issued by a stock exchange firm; and as this is a matter upon which we receive numerous inquiries from time to time, we append the list, which our readers will probably find useful to keep as a reference:

Subsidiary companies.	Capital.
Anglo-Saxon Petroleum Co.	\$16,000,000
Asiatic Petroleum	\$4,000,000
Asiatic Petroleum (Ceylon)	\$300,000
Asiatic Petroleum (Egypt)	\$1,000,000
Asiatic Petroleum (F. M. States)	\$150,000
Asiatic Petroleum (India)	\$2,000,000
Asiatic Petroleum (north China)	\$2,000,000
Asiatic Petroleum (Philippines)	\$200,000
Asiatic Petroleum (Siam)	\$200,000
Asiatic Petroleum (south China)	\$1,000,000
Asiatic Petroleum (Straits Settlements)	\$750,000
Bataafsche Petroleum Maatschappij	Fl. 300,000,000
British Imperial (Australia)	\$1,000,000
British Imperial (New Zealand)	\$100,000
British Imperial (South Africa)	\$400,000
Curaçoa Petroleum Co.	Fl. 7,500,000
Curaçoa Shipping Co.	Fl. 2,000,000
Dordtsche Petroleum Maatschappij	Fl. 2,000,000
La Corona Petroleum	Fl. 25,000,000

Nederlandsch Indische Tank Steamboat Mij	Capital.
New Orleans Refining	Fl. 10,000,000
Nouvelle Société du Standard Russe de Grozny	\$2,000,000
Panama Canal Storage	Rs. 120,00,000
Shell Co. of California	\$77,000
Shell Co. of Canada	\$33,535,575
Shell Marketing Co.	\$50,000
Société Commerciale et Industrielle de Naphte Caspienne et de la Mer Noire (B'nito)	\$3,000,000
Société de Mazout	Rs. 100,00,000
Tampico-Panuco Petroleum Maatschappij	Rs. 180,00,000
Ozark Pipe Line Corporation of Maryland	Fl. 7,200,000
Roxana Petroleum Co. of Virginia	\$10,400,000
Matader Petroleum Corporation	\$15,000,000
Mexican Eagle Oil Co. (England)	\$1,000,000
	\$100

Companies controlled.

Anglo-Egyptian Oilfields	£1,808,000
Astra Romana	Lei. 135,335,185
Ceram Oil Syndicate	\$200,000
Caribbean Petroleum Co.	\$2,100,000
Colon Development Co.	\$100,000
Grozny Sundja Oilfields	\$300,000
Soc. An. pour l'Ind. de Naphte "Grozny-Sunja"	Rs. 30,00,000
Mexican Eagle Oil Co.	Mex. \$83,335,185
New Schibaleff Petroleum	\$1,160,000
North Caucasian Oilfields	\$1,000,000
United British of Trinidad	\$1,250,000
Ural Caspian Oil Corporation	\$1,100,000
Venezuelan Oil Concessions	\$500,000

Mr. McKELLAR. I also ask to insert in the Record a statement of the petroleum imports into the United Kingdom taken from the Oil News of November 13, 1920. It shows that somewhere between 80 and 90 per cent of the oil which England is to-day using is obtained from the United States.

The PRESIDING OFFICER. Without objection, leave is granted.

The statement referred to is, as follows:

Petroleum imports into the United Kingdom, supplied by order of His Majesty's commissioners of customs and excise for the week ended Nov. 8, 1920, excluding any imports that may not be disclosed.

[Oil News, Nov. 13, 1920.]

Date.	Port and importers.	Ship.	Barrels.	Description.	Gallons.	Port whence.
LONDON.						
Nov. 3	J. Kendall & Co.	Anglo-Egyptian	Drs. 212	Lubricating	7,250	New York
3	Produce Brokers Co.	do.	200	do.	9,500	Do
3	W. B. Dick & Co.	do.	50	do.	2,000	Do.
3	do.	Wynoxne	200	do.	8,000	Do.
3	T. H. Pearce	Waabesa	623	do.	24,320	Cleveland.
1	H. P. Wheatley & Co.	Narragansett	Bulk.	Lamp.	1,146,040	New York.
1	Anglo-American Oil Co.	do.	Bulk.	do.	20,590	Do.
1	do.	do.	Bulk.	Lubricating	20,560	Do.
1	British Petroleum Co.	British Ensign	Bulk.	Lamp.	2,779,090	Port Arthur.
1	do.	British Fern	Bulk.	Gas.	1,911,000	Do.
1	Anglo-American Oil Co.	Maryland	692	Lubricating	27,630	New York.
1	London Oil Storage Co.	Jolly George	1	do.	30	Danzig.
4	Langley, Smith & Co.	Cazonia	430	do.	13,320	New York.
4	A. C. Jacobs.	Wynoochee	200	do.	8,000	Do.
4	Vacuum Oil Co.	do.	1,683	do.	72,520	Do.
4	Anglo-American Co.	Anglo-Egyptian	774	do.	59,960	Do.
4	do.	Tuscarora	Bulk.	Lamp.	2,091,670	Port Arthur and Baton Rouge.
2	Shell Marketing Co.	Caronia	250	Lubricating	10,000	New York.
2	Anglo-American Oil Co.	West Wainoke	120	do.	4,800	Philadelphia.
2	Produce Brokers Co.	Caronia	354	do.	4,000	New York.
5	London Oil Storage Co.	do.	130	do.	5,750	Philadelphia.
5	Anglo-American Oil Co.	Wynoochee	3,239	do.	129,580	New York.
5	Moxon Salt Co.	Panhandle State	Bulk.	Fuel	36,800	Do.
8	Anglo-Mexican Petroleum Co.	San Silvestre	Bulk.	Lubricating	678,160	Port Mexico.
8	do.	do.	Bulk.	Lamp.	1,482,900	Do.
8	Anglo-American Oil Co.	Waabesa	1,119	Lubricating	44,760	Philadelphia.
June 9	do.	Appalachee	Bulk.	Lamp.	1,620	Baton Rouge.
Aug. 13	British Petroleum Co.	British Baron	Bulk.	do.	7,460	Port Arthur.
Nov. 2	do.	British Marshal	Bulk.	Benzine	1,602,000	Do.
LIVERPOOL.						
1	C. C. Wakefield & Co.	Navarino	100	Lubricating	4,000	New York.
1	Vacuum Oil Co.	Alexandrian	545	do.	21,800	Do.
1	Shell Marketing Co.	Carmania	600	do.	24,000	Do.
3	Anglo-American Oil Co.	Calcutta	Bulk.	Gas.	566,940	Paulsboro.
3	do.	do.	1,610	Lubricating	66,010	Do.
3	do.	Alexandrian	1,513	do.	62,030	New York.
3	Valvoline Oil Co.	Armania	435	do.	18,270	Do.
4	Allison Bros.	Nile	600	do.	24,000	Do.
4	Shell Marketing Co.	Haverford	325	do.	13,000	Do.
4	All's Well Oil Co.	Carmania	800	do.	12,000	Do.
4	Burnaby & Chantrell.	do.	105	do.	4,000	Do.
4	R. Park & Co.	Alexandrian	30	do.	1,200	Do.
5	Vacuum Oil Co.	Haverford	550	do.	22,000	Philadelphia.
5	Haddock, Parker & Co.	do.	500	do.	20,540	Do.
5	E. Vaughan & Co.	do.	139	do.	5,560	Do.
5	Anglo-American Oil Co.	do.	1,180	do.	47,200	Do.
5	All's Well Oil Co.	do.	850	do.	34,000	Do.
5	A. Hopps & Sons.	do.	75	do.	3,000	Do.
5	do.	Nile	450	do.	18,000	New York.
5	Dee Oil Co.	do.	200	do.	8,000	Do.
5	Haddock, Parker & Co.	do.	600	do.	24,540	Philadelphia.
5	Anglo-American Oil Co.	do.	1,550	do.	63,550	New York.
5	Shell Marketing Co.	Yomachichi	2,797	do.	147,880	New Orleans.
6	Vacuum Oil Co.	Cornishman	819	do.	337,760	Philadelphia.
6	Anglo-American Oil Co.	Alexandrian	21	do.	800	New York.
6	Meade-King, Robinson	Haverford	778	do.	31,120	Philadelphia.
6	Crew, Levick & Co.	Nile	618	do.	25,800	New York.
8	Vacuum Oil Co.	Cornishman	99	Lubricating gr.	3,960	Philadelphia.
8	Anglo-American Oil Co.	Tonewanda	Bulk.	Fuel	353,530	Do.



Petroleum imports into the United Kingdom, supplied by order of His Majesty's commissioners of customs and excise for the week ended Nov. 8, 1920, excluding any imports that may not be disclosed—Continued.

Date.	Port and importers.	Ship.	Barrels.	Description.	Gallons.	Port whence.
LIVERPOOL—continued.						
Nov. 8	Crew, Levick & Co.	Haverford	608	Lubricating	24,540	Philadelphia.
8	do.	do.	162	Mineral Colza	7,140	Do.
8	All's Well Oil Co.	Nile	100	Lubricating	4,370	New York
8	J. H. Burns	Baltic	5	Other sorts	200	Do.
BARROW.						
5	Anglo-American Oil Co.	Ottawa	Bulk.	Fuel	193,300	New Orleans.
6	Shell Marketing Co.	Masconomo	Bulk.	Benzine	713,380	Balk Pappan.
BRISTOL.						
1	British Petroleum Co.	British Earl	Bulk.	Gas	1,006,000	Port Arthur.
1	J. Arnott & Sons	Bristol City	75	Lubricating	3,000	New York.
1	F. Schofield & Co.	do.	250	do.	19,000	Do.
1	Anglo-American Oil Co.	do.	532	do.	21,280	Do.
3	do.	Elmac	735	do.	29,400	Philadelphia.
6	do.	Lake Elsie	836	do.	33,440	New York.
5	do.	Ottawa	Bulk.	Fuel	705,420	Avondale.
5	Anglo-Mexican Petroleum Co.	Bloomfield	Bulk.	do.	1,298,000	Tampico.
3	Anglo-American Oil Co.	Bristol City	521	Lubricating	20,840	New York.
NEWCASTLE.						
6	Crew, Levick & Co.	Elmac	120	Lubricating	4,800	Philadelphia.
6	Reesols (Ltd.)	do.	80	do.	3,640	Do.
6	Anglo-American Oil Co.	do.	1,825	do.	89,300	Do.
SOUTH SHIELDS.						
5	British-Mexican Petroleum Co.	W. L. Steed	Bulk.	Fuel	2,064,000	Tampico.
NORTH SHIELDS.						
1	Anglo-American Oil Co.	Kenobec	Bulk.	Fuel	932,000	New Orleans.
GLASGOW.						
2	Wm. Houston	Alpine Range	100	Lubricating	4,320	Philadelphia.
3	J. & D. Hamilton (Ltd.)	do.	100	do.	4,000	Do.
4	R. S. Chalmers & Co.	East Chicago	200	do.	8,000	Baltic.
GRANGEMOUTH.						
4	Scottish Oils (Ltd.)	British Major	Bulk.	Motor spirit	165,550	New Orleans.
DUBLIN.						
6	Anglo-American Oil Co.	Milwaukee Bridge	605	Lubricating	25,410	New York.
BELFAST.						
3	Anglo-American Oil Co.	Lord Downshire	750	Lubricating	37,400	Baltic.
3	Kennedy & Morrison	Milwaukee Bridge	c/s 16	Lubricating gr.	170	New York.
4	Vacuum Oil Co.	do.	150	Lubricating	6,190	Do.
Cef. 14	do.	Pontia	198	do.	74,900	Do.
18	Anglo-American Oil Co.	do.	1,284	do.	61,970	Do.
18	do.	do.	20	Mineral colza	1,010	Do.
18	do.	do.	80	Lubricating gr.	1,480	Do.
Total.					21,195,380	
AMENDMENTS—DEDUCT.						
LONDON.						
14	British Petroleum Co.	British Marshal	Bulk.	Lamp.	20,530	Port Arthur.
Aug. 25	do.	British Peer	Bulk.	Gas	51,600	Houston.
Sept. 18	Anglo-Mexican Petroleum Co.	San Silvestre	Bulk.	Lamp.	16,420	Tampico.
Aug. 27	H. P. Wheatley & Co.	Caillac	Bulk.	do.	248,910	New York.
4	Anglo-American Oil Co.	Saranac	Bulk.	do.	2,060	Baton Rouge and Avondale.
23	British Petroleum Co.	Birchleaf	Bulk.	Fuel	28,180	Abadan
May 11	Anglo-American Oil Co.	MacKinaw	289	Lubricating	11,600	Philadelphia

Mr. McKELLAR. What evidence have we that England is discriminating against us? A resolution passed the Senate on March 19, 1920, requesting the President to give the Senate information as to the restrictions on American petroleum prospectors in certain foreign countries. On May 17, 1920, the President furnished a report as to those restrictions, and I want to read very briefly from that report:

In general each dominion and colony has its own legislation on the subject of the petroleum industry.

The policy of the British Empire is reported to be to bring about the exclusion of aliens from the control of the petroleum supplies of the Empire and to endeavor to secure some measure of control over oil properties in foreign countries. This policy appears to be developing along the following lines, which are directly or indirectly restrictive on citizens of the United States:

1. By debarring foreigners and foreign nationals from owning or operating oil-producing properties in the British Isles, colonies, and protectorates.

2. By direct participation in ownership and control of petroleum companies.

3. By arrangements to prevent British oil companies from selling their properties to foreign owned or controlled companies.

4. By orders in council that prohibit the transfer of shares in British oil companies to other than British subjects or nationals.

It is understood that the British Government has a controlling interest in the Anglo-Persian Oil Co., and that it has also assisted in the development of the Papuan oil fields by bearing one-half of the expense and contributing experts.

It may be of some significance that by general license of September 1, 1919, prohibited transactions under the regulations of the defense of

the realm act were again permitted, except as such transactions might relate to oil-mining property. (Cablegram from London, Oct. 18, 1919; consular reports from London, Oct. 21, 1919, Nov. 8, 1919.)

According to recent reports, prospecting for petroleum is lawful in the United Kingdom only by the board of trade or the minister of munitions or persons authorized by them. Similar regulations apply to working a petroleum property. The only drilling now going on in the United Kingdom for petroleum is being done by S. Pearson & Son (Ltd.), as petroleum development managers to the Government.

It is said to be unlawful for a British citizen, without the consent of the board of trade, to transfer to an alien or to a foreign-controlled company any interest in a company controlling an oil field in the United Kingdom. (Defense of the realm act of 1915, as amended Oct. 23, 1917, regulation No. 30BB.)

The message of the President shows that the United States and its nationals are excluded in the following British possessions: Australia, British East Africa, Uganda, German East Africa (occupied), British West Africa, Canada, British Guiana, British Honduras, India, British West India, Barbados, and Trinidad.

Great Britain already owns and is operating the Anglo-Persian Co., which controls the entire Persian supply. She has already made her arrangements to take over the Mesopotamian and Palestine fields. Of course, she owns the Egyptian fields and large interests in the Mexican fields. She owns the Canadian and Indian fields and the East Indian and West Indian fields. She now controls the Royal Dutch Shell Co., which has acquired large producing properties in California

and in the mid-continent field. She also controls the Mexican Eagle Oil Co. In 1917 she bought from her alien property custodian the British Petroleum Co., the Homelight Oil Co., and the Petroleum Steamship Co., which had been previously held by the Deutsche Bank, of Germany. It is claimed by no less a person than Sir Charles Greenway that by 1922 the Anglo-Persian Oil Co. will be in position to supply 80 per cent of Great Britain's present requirements for gasoline. She now gets 80 per cent of her gasoline from the United States. If it was not for the oil fields of the United States and Mexico, England could not run a ship.

Practically all of the two Americas, northern Europe, and northern Asia, with the exception of Japan, is open to oil prospectors of the United States, but all the British fields, including those in dependencies and mandatories, are closed to the United States and its nationals.

It is quite marvelous that England, which does not produce any oil, is trying to control the oil of the world.

#### THE SAN REMO AGREEMENT.

Last summer at San Remo, in Italy, representatives of the French and British Governments entered into an agreement with reference to Mesopotamian oil fields, a part of which agreement is as follows:

Mesopotamia: The British Government binds itself to concede to the French Government, or the representative appointed by same, 25 per cent of the net production of crude oil at the current market price which his British Majesty's Government may draw from the Mesopotamian petroleum regions in the event of those regions being made productive by virtue of Government exploitation; or in the event the Government has recourse to a private company to exploit the Mesopotamian petroleum regions the British Government will place at the disposal of the French Government a participation of 25 per cent in the same company. The amount to be paid for a participation of this kind should not exceed the amount paid by any other participant in the said petroleum company. It is also agreed that the said petroleum company is to be under the permanent control of Great Britain.

Showing Great Britain's designs upon the Russian oil fields, it is further provided in the San Remo agreement:

In the territories belonging to the former Russian Empire the two Governments will give their joint support to their respective dependents in their common efforts with the view to obtain petroleum concessions and facilities for export and to assure the delivery of petroleum supplies.

It must be remembered that Russia has about one-eighth of the oil supply of the world, and perhaps more. The agreement further provides as to the Rumanian fields, which are the largest known oil deposits in Europe west of the Black Sea, as follows:

Great Britain and France will lend their aid to their respective dependents in all negotiations which are to be started with the Rumanian Government for:

(a) The purchase of oil and petroleum concessions, shares, or other interests owned by former subjects or companies (of enemy origin) in Rumania which have been sequestered—for instance, the Steaua Romana, Concordia, Vega, etc., who constituted in said country the petroleum group of the Deutsche Bank and the Disconto Gesellschaft—at the same time as all other interests which it may be possible to take over.

(b) The concession of petroleum fields owned by the Rumanian State.

In the House of Parliament the Right Hon. Walter Runciman, president of the British Board of Trade, as early as January, 1916, stated that the future policy of Great Britain would be not only to control the coal of the world but the supply of oil as well, and recently Mr. Walter Hume Long, first lord of the Admiralty, in an address in London, stated that England must acquire all available oil lands, and that the nation must "take care to occupy the house or others would take it and with it the key to future success."

The Anglo-Persian Oil Co. now has a capital of \$100,000,000, and the British Government itself owns two-thirds of the voting stock. For a number of years Lord Cowdry, formerly Sir Weetman Pearson, has been at the head of the English oil interests in Mexico and has accomplished wonders there. Recently the British Government appropriated \$5,000,000 and turned it over to Lord Cowdry to prospect for oil in the British Isles.

#### BRITAIN'S PRESENT DEPENDENCE UPON AMERICA FOR OIL.

But while Great Britain is thus trying to gobble up as much of the oil territory of the world as possible and at the same time excluding American oil prospectors from her territory, what is her situation relative to American production of oil? It is one of almost absolute dependence upon the American supply. Thirty-four per cent of her naval ships are oil-burning ships, and 54 per cent burn oil and coal. This does not include 140 oil-burning submarines. It is believed that half of her merchant marine also burns oil. She is dependent upon America for at least 80 per cent of her supply. Under these circumstances, what is our remedy?

Of course, if we had been in the League of Nations, we could have vetoed the agreement between France and England divid-

ing up the Mesopotamian and Palestine fields and shutting out American prospectors who were already on the ground, but not being in the league, have we any remedy left?

Some time ago Secretary Lane, who is an expert on the subject of oil, presented to a board of geologists, engineers, and economists in his own department the question of what was to be done. I ask permission to print in my remarks his remedy, which is the same as that which I have already proposed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

This board recommended the following program of action:

First. To secure the removal of all discriminations, to the end that our nationals may enjoy in other countries all the privileges now enjoyed by other nationals in ours: (a) by appropriate diplomatic and trade measures; (b) by securing equal rights to our nationals in countries newly organized as mandatories.

Second. To encourage our nationals to acquire, develop, and market oil in foreign countries (a) by sure, adequate protection of our citizens engaged in securing and developing foreign oil fields; (b) by promotion of syndication of our nationals engaged in foreign business in order to effectually conduct oil development and distribution of petroleum and its products abroad.

Third. Governmental action through special agency or board, (a) through the organization of a subsidiary governmental corporation with power to produce, purchase, refine, transport, store, and market oil and oil products; (b) through the formation of a permanent petroleum administration.

Fourth. To assure to our nationals the exclusive opportunity to explore, develop, and market the oil resources of the Philippine Islands, provided discriminatory policies of other nations against our nationals are not abandoned or satisfactorily modified. (Report of Secretary of the Interior, 1919, p. 23.)

Mr. McKELLAR. Mr. President, the program herein stated is an excellent one, and in furtherance of that program I have offered the following bill:

*Be it enacted, etc.*, That deposits of oil or oil shale, or the manufactures or refined products thereof, in the United States or its Territories or dependencies, or any land containing such deposits, or any stock or bond interest in corporations owning such land or deposits, or contracts for the purchase and development of the same, when the purpose is to export such products or otherwise to use them in foreign commerce, shall hereafter not be acquired or owned by any foreign Government or by the nationals of any foreign Government whenever the United States or its nationals having a like purpose are prohibited from acquiring such lands or rights or deposits or manufactured or refined products thereof owned or controlled by the Governments of such foreign countries, directly or by their dominions, dependencies, mandatories, spheres of influence, or otherwise, or the nationals of such Government or foreign countries: *Provided*, That in all cases where the Government of the United States or its nationals is permitted to acquire such lands or deposits, or manufactured or refined products of same, or contracts for the purchase or development of the same, under foreign Governments or their dominions, mandatories, or dependencies, a like privilege to such foreign Governments or their nationals shall be accorded by the Government of the United States.

SEC. 2. That oil or oil shale and the manufactured or refined products of same shall not hereafter be exported to any foreign Government or to the nationals of any foreign Government in any case where such foreign Government, its dominions, dependencies, or mandatories refuse to permit the United States or its nationals to acquire and ship the said deposits or the manufactured or refined products to the United States or otherwise to use the same in foreign commerce; or where the vessels of the United States or the vessels of the nationals of the United States are discriminated against by any foreign Government or its nationals in the furnishing of oil or oil facilities or in the acquiring of oil supply stations in the territory of such foreign Government, or its dominions, dependencies, protectorates, mandatories, or spheres of influence.

SEC. 3. The Shipping Board of the United States is hereby required to report on or before July 1, 1921, what foreign Governments, dominions, dependencies, protectorates, or mandatories, if any, are violating this act, and thereafter no oil or oil shale or the manufactured or refined products of same shall be exported to any foreign Government or its nationals so reported by the Shipping Board to be violating said act. Should said Shipping Board by resolution of its members duly spread upon the minutes report any Government, dominion, mandatory, or dependency as violating said act, the President, under and by virtue of this act, shall at once issue his proclamation declaring an embargo against shipping any of said products to such foreign Government or its dependencies, mandatories, or nationals; nor shall any of said products be exported to any foreign Government or its nationals until the Shipping Board reports that such Government or its dominions, protectorates, or mandatories are no longer violating this act, in which case the President shall issue his proclamation removing the embargo.

SEC. 4. Whenever an attempt is made to export or ship or take out of the United States any oil or oil shale or the manufactured or refined products of same in contravention of this act, and after the President has issued his proclamation as aforesaid, the provisions hereof shall be enforced by the same officers with like forfeitures and penalties and under like proceedings provided in title 6 of the act of Congress approved June 15, 1917, being an act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, etc., and known as the espionage act.

#### REASON FOR THE BILL.

Mr. President, my reason for introducing this bill is that apparently diplomatic measures have failed. As I have already stated, Mr. Polk protested against the San Remo agreement last spring and Mr. Colby has recently even more vigorously protested against it, and all without effect. In my judgment, there is but one way to bring about an adjustment of this matter, and that is along the lines set forth in this bill. If Great Britain is not permitted to get oil from this country, her



navy will be severely handicapped and many of the ships of her merchant marine will be put out of commission. She will be obliged to come to terms. We have the power. It lies within our hands. We ask for nothing but what is right. We seek no advantage. We simply desire that our nationals shall be treated by Great Britain in the same way that we treat hers. We want them to enjoy the same privileges in our country that we want in theirs, but in justice to ourselves we must deny to Great Britain and her nationals just what she denies to the United States and our nationals. My bill is a reciprocal agreement. It is absolutely fair. If it is not fair, we must make it fair, but American rights in oil must be upheld.

Mr. President, the people of Great Britain themselves do not believe in this oil-gobbling scheme of their Government. The Oil News of November 27, 1920, representing the oil interests of Great Britain, protests against the San Remo agreement. They say it must be abrogated, and that Americans should have the right to prospect for oil in Mesopotamia and Palestine just as the subjects of Great Britain have in this country. At this point I will print in the RECORD, as a part of my remarks, a quotation from the Journal referred to, if there be no objection.

The matter referred to is as follows:

THAT "BLESSED WORD" AGAIN.

The Mesopotamian position appears to be the source not only of friction between the United States and Great Britain but of an obscurity which is in some respects even more to be deplored. The first ray of light let in on this subject during the past few months was Mr. Lloyd-George's statement in the House of Commons (reported in last week's Oil News) to the effect that the Allies were awaiting the establishment of an Arab government in Mesopotamia which would deal with the very troublesome subject of the oil prospecting concessions in that country. Nevertheless, the public in general have not grasped the position fully, as is evident by the visits we have had from representatives of well-known daily papers who were in search of some elucidation of the present obscure position.

LATEST AMERICAN NOTE.

Another aspect of this matter is indicated by the Exchange Telegraph message from Washington of November 20 stating that the United States has sent a note to Great Britain protesting against secret agreements between the Allies for the exploitation of former Turkish territories. This is stated to be the second of a series of notes on this matter; and it is evident that the United States, at the instance of the Standard and possibly other important groups, are not going to take the Mesopotamian situation lying down.

NOT WORTH A DISPUTE.

Where the rights and wrongs lie in this case we are not prepared to say. We are a British oil journal, but there are wider aspects of the Mesopotamian oil problem than are indicated by a dispute between John Bull and Uncle Sam as to who is to develop the potential oil fields of this remarkable district. Our own view, for what it is worth, is that the possibilities are here so vast that Great Britain, even with the help of France as a 25 per cent partner, is not able herself to prospect and exploit them fully.

A NEW WAY OUT.

Consequently it would be well to consider how far the European Allies can legitimately go in satisfying the aspirations of United States capital to a share in the risks and possible eventual profits of the Mesopotamian oil region. Good will, peace, and harmony are assets worth paying a long price for, even if the purchase consideration is payable in undeveloped oil lands.

Mr. McKELLAR. Mr. President, in conclusion I desire to answer a question which was raised by a Senator in discussing the matter as to whether or not a bill of this kind would be constitutional. I do not think there can be a particle of doubt about that, since the decision in *Field against Clark*, in 143 United States Reports, 650, excerpts from that opinion which sustain the constitutionality of an act of this kind I have prepared, and I ask unanimous consent that they may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, leave to do so will be granted. The Chair hears no objection.

The matter referred to is as follows:

CONSTITUTIONAL.

Repeated decisions of this court have determined that Congress has the power to exclude aliens from the United States; to prescribe the terms and conditions on which they may come in; to establish regulations for sending out of the country such aliens as have entered in violation of law; and to commit the enforcement of such conditions and regulations to executive officers; that the deportation of an alien who is found to be here in violation of law is not a deprivation of liberty without due process of law and that the provisions of the Constitution securing the right of trial by jury have no application. (*Chae Chan Ping v. United States*, 130 U. S., 581; *Nishimura Ekin v. United States*, 142 U. S., 651; *Fong Yue Ting v. United States*, 140 U. S., 698; *Lem Moon Sing v. United States*, 158 U. S., 538; *Wong Wing v. United States*, 163 U. S., 228; *Fok Yung Yo v. United States*, 158 U. S., 298; *Japanese Immigrant case*, 189 U. S., 86; *Chin Bak Kan v. United States*, 186 U. S., 193; *United States v. Sing Tuk*, 194 U. S., 161; *Turner v. Williams*, 194 U. S., 289.)

The authority conferred upon the President by section 3 of the act of October 1, 1890, to reduce the revenue and equalize duties on imports, and for other purposes (26 Stat., ch. 1244, pp. 567, 612), to suspend by proclamation the free introduction of sugar, molasses, coffee, tea, and hides when he is satisfied that any country producing such

articles imposes duties or other exactions upon the agricultural or other products of the United States which he may deem to be reciprocally unequal or unreasonable, is not open to the objection that it unconstitutionally transfers legislative power to the President. (*Field v. Clark*, 143 U. S., 650.)

The plaintiffs in error contend that this section, so far as it authorizes the President to suspend the provisions of the act relating to the free introduction of sugar, molasses, coffee, tea, and hides, is unconstitutional, as delegating to him both legislative and treaty-making powers, and, being an essential part of the system established by Congress, the entire act must be declared null and void. On behalf of the United States it is insisted that legislation of this character is sustained by an early decision of this court and by the practice of the Government for nearly a century, and that, even if the third section were unconstitutional, the remaining parts of the act would stand.

The decision referred to is the *brig Aurora*. (7 Cranch, 383, 388.) What was that case? The nonintercourse act of March 1, 1809 (c. 24, secs. 4, 11), forbidding the importation, after May 20, 1809, of goods, wares, or merchandise from any port or place in Great Britain or France, provided that "the President of the United States be, and he hereby is, authorized, in case either France or Great Britain shall so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States, to declare the same by proclamation"; after which the trade suspended by that act and the act laying an embargo could "be renewed with the nation so doing." (2 Stat., 538.) The act of 1809 expired on the 1st of May, 1810, on which day Congress passed another act (c. 39, sec. 4) declaring that in case either Great Britain or France, before a named day, so revoked or modified her edicts "as that they shall cease to violate the neutral commerce of the United States, which fact the President of the United States shall declare by proclamation, and if the other nation shall not" within a given time revoke or modify her edicts in like manner, then certain sections of the act of 1809 "shall from and after the expiration of three months from the date of the proclamation aforesaid be revived and have full force and effect, so far as relates to the dominions, colonies, and dependencies, and to the articles the growth, produce, or manufacture of the dominions, colonies, and dependencies of the nation thus refusing or neglecting to revoke or modify her edicts in the manner aforesaid. And the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation revoking or modifying her decrees in the manner aforesaid." (2 Stat., 605, 606.) On the 2d of November, 1810, President Madison issued his proclamation declaring that France had so revoked or modified her edicts as that they ceased to violate the neutral commerce of the United States. In the argument of that case it was contended by Mr. Joseph R. Ingersoll that Congress could not transfer legislative power to the President, and that to make the revival of a law depend upon the President's proclamation was to give that proclamation the force of a law. To this it was replied that the legislature did not transfer any power of legislation to the President; that they only prescribed the evidence which should be admitted of a fact, upon which the law should go into effect. Mr. Justice Johnson, speaking for the whole court, said: "We can see no sufficient reason why the legislature should not exercise its discretion in reviving the act of March 1, 1809, either expressly or conditionally, as their judgment should direct. The nineteenth section of that act, declaring that it should continue in force to a certain time and no longer, could not restrict their power of extending its operation without limitation upon the occurrence of any subsequent combination of events." This certainly is a decision that it was competent for Congress to make the revival of an act depend upon the proclamation of the President, showing the ascertainment by him of the fact that the edicts of certain nations had been so revoked or modified that they did not violate the neutral commerce of the United States. The same principle would apply in the case of the suspension of an act upon a contingency to be ascertained by the President and made known by his proclamation.

To what extent do precedents in legislation sustain the validity of the section under consideration, so far as it makes the suspension of certain provisions and the going into operation of other provisions of an act of Congress depend upon the action of the President based upon the occurrence of subsequent events, or the ascertainment by him of certain facts, to be made known by his proclamation? If we find that Congress has frequently, from the organization of the Government to the present time, conferred upon the President powers with reference to trade and commerce like those conferred by the third section of the act of October 1, 1890, that fact is entitled to great weight in determining the question before us.

During the administration of Washington Congress, by an act approved June 4, 1794, chapter 41, authorized the President, when Congress was not in session and for a prescribed period, "whenever, in his opinion, the public safety shall so require, to lay an embargo on all ships and vessels in the ports of the United States, or upon the ships and vessels of the United States, or the ships and vessels of any foreign nation, under such regulations as the circumstances may require, and to continue or revoke the same whenever he shall think proper." (1 Stat., 372.)

Congress passed and President Adams approved the act of June 13, 1798 (ch. 53, sec. 5), suspending commercial intercourse between the United States and France and its dependencies, and providing that if the Government of France, and all persons acting by or under its authority, before the then next session of Congress, "shall clearly disavow and shall be found to refrain from the aggressions, depredations, and hostilities which have been and are by them encouraged and maintained against the vessels and other property of the citizens of the United States and against their national rights and sovereignty, in violation of the faith of treaties and the laws of nations, and shall thereby acknowledge the just claims of the United States to be considered as in all respects neutral and unconnected in the present European war if the same shall be continued, then and thereupon it shall be lawful for the President of the United States, being well ascertained of the premises, to remit and discontinue the prohibitions and restraints hereby enacted and declared; and he shall be, and is hereby, authorized to make proclamation thereof accordingly." (1 Stat., 565, 566.) A subsequent act, approved February 9, 1799 (ch. 2, sec. 4), further suspending commercial intercourse with France and its dependencies, contained this section: "That at any time after the passing of this act it shall be lawful for the President of the United States, if he shall deem it expedient and consistent with the interest of the United States, by his order, to remit and discontinue, for the time being, the restraints and prohibitions aforesaid, either with respect to the French Republic or to any island, port, or place belonging to the said Republic with which a commercial intercourse may safely be renewed; and also to



revoke such order whenever, in his opinion, the interest of the United States shall require; and he shall be, and hereby is, authorized to make proclamation thereof accordingly." (1 Stat., 613, 615.) Under the latter act the President issued, June 26, 1799, and May 21, 1800, proclamations declaring it lawful for vessels departing from the United States to enter certain ports of San Domingo. (Works of John Adams, vol. 9, pp. 176, 177.)

By an act of Congress, approved April 18, 1806 (ch. 29), it was made lawful to import, after November 15, 1806, into the United States from any port or place in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, articles of which leather, silk, hemp, flax, tin, or brass was the material of chief value; woolen cloths, whose invoice prices exceeded 5 shillings sterling per square yard; woolen hosiery, manufactures of glass, silver, and plated wares, hats, nails, spikes, ready-made clothing, millinery, beer, ale, porter, pictures, and prints. (2 Stat., 379.) The operation of this act was suspended by the subsequent act of December 19, 1806 (ch. 1, sec. 3), until July 1, 1807. But the last act contained this section: "That the President of the United States be, and he is hereby, authorized further to suspend the operation of the aforesaid act, if in his judgment the public interest should require it; *Provided*, That such suspension shall not extend beyond the second Monday in December next." (2 Stat., 411.) Both of these acts received the approval of President Jefferson.

An act of March 3, 1815 (ch. 77), approved by President Madison, provided that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise imported into the United States as imposed a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, be repealed, so far as the same respected the produce or manufacture of the nation to which such foreign ships or vessels belonged, such repeal to take effect in favor of any foreign nation "whenever the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States," had been abolished. (3 Stat., 224.) Satisfactory proof having been received by President Monroe from the free city of Bremen that from and after the 12th of May, 1815, all discriminating or countervailing duties of the said city, "so far as they operated to the disadvantage of the United States," had been abolished, he issued July 24, 1815, his proclamation, stating that the acts of Congress upon that subject were repealed so far as the same related to the produce and manufactures of that city. Similar proclamations were issued by him in respect to the produce and manufactures of Hamburg, Lubeck, Norway, and the Dukedom of Oldenburg. (3 Stat., App. 1, pp. 792, 793, 794, 795.)

By an act approved March 3, 1817 (ch. 39), prohibiting the importation into the United States, in any foreign vessel, from and after July 4 of that year, of plaster of Paris, the production of any country or its dependencies, from which the vessels of the United States were not permitted to bring the same article, it was provided that the act should continue in force five years from January 31, 1817, provided "that if any foreign nation or its dependencies which have now in force regulations on the subject of the trade in plaster of Paris, prohibiting the exportation thereof to certain ports of the United States, shall discontinue such regulations, the President of the United States is hereby authorized to declare that fact by his proclamation, and the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation or its dependencies discontinuing such regulations." (3 Stat., 361.) Proclamations in execution of this act were issued by President Monroe relating to our trade with Nova Scotia and New Brunswick. (3 Stat., App., pp. 791, 792.)

By an act concerning discriminating duties of tonnage and impost, approved January 7, 1824 (ch. 4, sec. 4), it was provided that "upon satisfactory evidence being given to the President of the United States by the Government of any foreign nation that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation upon vessels wholly belonging to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the said Nation, and the merchandise of its produce or manufacture, imported into the United States in the same; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and merchandise as aforesaid, thereon laden shall be continued, and no longer." (4 Stat., 3.) A similar section was embodied in the act of May 24, 1828 (ch. 111), relating to the same subject, which is substantially preserved in section 4228 of the Revised Statutes. (4 Stat., 308.) In execution of these acts, proclamations were issued by the Presidents of the United States, as follows: Adams, July 1, 1828 (4 Stat., App., 815); Jackson, May 11, 1828, June 3, 1829, September 18, 1830, April 28, 1835, and September 1, 1836 (4 Stat., App., 814, 815, 816; 11 Stat., App., 781, 782); Polk, November 4, 1847 (9 Stat., App., 1001); Fillmore, November 1, 1850 (9 Stat., App., 1004); Buchanan, February 25, 1858 (11 Stat., App., 795); Lincoln, December 16, 1863 (13 Stat., App., 739); Johnson, December 28, 1866, and January 29, 1867 (14 Stat., App., 818, 819); Grant, June 12, 1869, November 20, 1869, February 25, 1871, December 19, 1871, September 4, 1872, and October 30, 1872 (16 Stat., App., 1127, 1130 to 1137; 17 Stat., App., 954, 956, 957); and Hayes, November 30, 1880 (21 Stat., 800).

A subsequent statute of May 31, 1830 (ch. 219), repealed all acts and parts of acts which imposed duties upon the tonnage of ships and vessels of foreign nations, provided the President of the United States should be satisfied that the discriminating or countervailing duties of such foreign nations, "so far as they operate to the disadvantage of the United States," had been abolished. (4 Stat., 425.) This provision is preserved in section 4219 of the Revised Statutes.

Pursuant to the act of Congress of August 5, 1854 (ch. 269, sec. 2), carrying into effect the treaty between the United States and Great Britain of June 5, 1854, President Pierce issued his proclamation, December 12, 1855, declaring that grain, flour, breadstuffs of all kinds, and numerous other specified articles, should be admitted free of duty from Newfoundland, he having received satisfactory evidence that that Province had consented, "in a due and proper manner," to have the provisions of the above treaty extended to it, and to allow the United States the full benefits of all its stipulations, so far as they were applicable to Newfoundland. (10 Stat., 587; 11 Stat., 790.)

By an act of Congress approved March 6, 1866 (ch. 12), the importation of neat cattle and the hides of neat cattle from any foreign country into the United States was prohibited, the operation of the act, however, to be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury should officially determine, and give public notice thereof, that such importation would not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States. The same act provided that "the President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious diseases among the cattle of the United States, may, by proclamation, declare the provisions of this act to be inoperative, and the same shall be afterwards inoperative and of no effect from and after 30 days from the date of said proclamation." (14 Stat., 3.) These provisions constituted sections 2493 and 2494 of the Revised Statutes until the passage of the act of March 3, 1883 (22 Stat., 489, ch. 121, sec. 6). And by the tariff act of 1890 the importation of neat cattle and the hides of neat cattle from foreign countries was prohibited; but authority is given to the Secretary of the Treasury to suspend the operation of the act as to any country whenever he determines that such importation will not lead to the introduction or spread of contagious or infectious diseases among the cattle of the United States. (26 Stat., 616, ch. 1244, sec. 20.)

In execution of section 4228 of the Revised Statutes, President Arthur issued a proclamation declaring that on and after the 1st day of March, 1884, so long as the products of and articles proceeding from the United States, imported into the islands of Cuba and Porto Rico, should be exempt from discriminating customs duties, any such duties on the products of and articles proceeding from Cuba and Porto Rico under the Spanish flag should be suspended and discontinued. (23 Stat., 835.) President Cleveland, by proclamation of October 13, 1886, revoked this suspension upon the ground that higher and discriminating duties continued to be imposed and levied in the ports named upon certain produce, manufactures, or merchandise imported into them from the United States and from foreign countries in vessels of the United States than were imposed and levied on the like produce, manufactures, or merchandise carried to those ports in Spanish vessels. (24 Stat., 1028.)

By the fourteenth section of the act of June 26, 1884 (ch. 121), removing certain burdens on the American merchant marine and encouraging the American foreign carrying trade, certain tonnage duties were imposed upon vessels entering the United States from any foreign port or place in North America, Central America, the West India Islands, Bahama Islands, Bermuda Islands, Sandwich Islands, or Newfoundland; and the President was authorized to suspend the collection of so much of those duties on vessels entering from certain ports as might be in excess of the tonnage and lighthouse dues, or other equivalent tax or taxes imposed on American vessels by the Government of the foreign country in which such port was situated, and should, upon the passage of the act, "and from time to time thereafter as often as it may become necessary by reason of changes in the laws of the foreign countries above mentioned, indicate by proclamation the ports to which such suspension shall apply, and the rate or rates of tonnage duty, if any, to be collected under such suspension." (23 Stat., 57.) In execution of that act Presidents Arthur and Cleveland issued proclamations suspending the collection of duties on goods arriving from certain designated ports. (23 Stat., 841, 842, 844.)

It would seem to be unnecessary to make further reference to acts of Congress to show that the authority conferred upon the President by the third section of the act of October 3, 1890, is not an entirely new feature in the legislation of Congress, but has the sanction of many precedents in legislation. While some of these precedents are stronger than others in their application to the case before us, they all show that, in the judgment of the legislative branch of the Government, it is often desirable, if not essential, for the protection of the interests of our people against the unfriendly or discriminating regulations established by foreign Governments in the interests of their people to invest the President with large discretion in matters arising out of the execution of statutes relating to trade and commerce with other nations. If the decision in the case of the brig *Aurora* had never been rendered, the practical construction of the Constitution, as given by so many acts of Congress and embracing almost the entire period of our national existence, should not be overruled, unless upon a conviction that such legislation was clearly incompatible with the supreme law of the land. (Stuart v. Laird, 1 Cranch., 299, 309; Martin v. Hunter, 1 Wheat., 304, 351; Coolen v. Port Wardens, 12 How., 299, 315; Lithographic Co. v. Sarony, 111 U. S., 53, 57; the *Laura*, 114 U. S., 411, 416.)

The authority given to the President by the act of June 4, 1794, to lay an embargo on all ships and vessels in the ports of the United States "whenever, in his opinion, the public safety shall so require," and under regulations, to be continued or revoked "whenever he shall think proper"; by the act of February 9, 1799, to remit and discontinue, for the time being, the restraints and prohibitions which Congress had prescribed with respect to commercial intercourse with the French Republic, "if he shall deem it expedient and consistent with the interest of the United States," and "to revoke such order whenever, in his opinion, the interest of the United States shall require"; by the act of December 19, 1806, to suspend, for a named time, the operation of the nonimportation act of the same year "if in his judgment the public interest should require it"; by the act of May 1, 1810, to revive a former act as to Great Britain or France, if either country had not, by a named day, so revoked or modified its edicts as not "to violate the neutral commerce of the United States"; by the acts of March 3, 1815, and May 31, 1830, to declare the repeal, as to any foreign nation, of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise imported into the United States, when he should be "satisfied" that the discriminating duties of such foreign nations, "so far as they operate to the disadvantage of the United States," had been abolished; by the act of March 6, 1866, to declare the provisions of the act forbidding the importation into this country of neat cattle and the hides of neat cattle, to be inoperative "whenever in his judgment" their importation "may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States," must be regarded as unwarranted by the Constitution if the contention of the appellants in respect to the third section of the act of October 1, 1890, be sustained.

That Congress can not delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution. The act of October 1, 1890, in the particular case under consideration, is not inconsistent with that principle. It does not, in any real sense,



invest the President with the power of legislation. For the purpose of securing reciprocal trade with countries producing and exporting sugar, molasses, coffee, tea, and hides, Congress itself determined that the provisions of the act of October 1, 1890, permitting the free introduction of such articles, should be suspended as to any country producing and exporting them that imposed exactions and duties on the agricultural and other products of the United States which the President deemed—that is, which he found to be—reciprocally unequal and unreasonable. Congress itself prescribed, in advance, the duties to be levied, collected, and paid on sugar, molasses, coffee, tea, or hides produced by or exported from such designated country while the suspension lasted. Nothing involving the expediency or the just operation of such legislation was left to the determination of the President. The words "he may deem" in the third section, of course, implied that the President would examine the commercial regulations of other countries producing and exporting sugar, molasses, coffee, tea, and hides and form a judgment as to whether they were reciprocally equal and reasonable, or the contrary, in their effect upon American products. But when he ascertained the fact that duties and exactions reciprocally unequal and unreasonable were imposed upon the agricultural or other products of the United States by a country producing and exporting sugar, molasses, coffee, tea, or hides, it became his duty to issue a proclamation declaring the suspension as to that country which Congress had determined should occur. He had no discretion in the premises except in respect to the duration of the suspension so ordered. But that related only to the enforcement of the policy established by Congress. As the suspension was absolutely required when the President ascertained the existence of a particular fact, it can not be said that in ascertaining that fact and in issuing the proclamation, in obedience to the legislative will, he exercised the function of making laws. Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the lawmaking department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, permitting the free introduction of sugars, molasses, coffee, tea, and hides from particular countries should be suspended in a given contingency, and that in case of such suspension certain duties should be imposed. (Field v. Clark, 143 U. S., 681-693.)

Mr. PHELAN. Mr. President, I have been very much interested in hearing the Senator from Tennessee discuss the oil situation with respect to British monopolistic tendencies. I may repeat what he has said, that I have great admiration for many of the characteristic traits of the British people. The British Government in the minds of most Americans seems to be something apart, however, from the British people. The situation might be described as being another case of Dr. Jekyll and Mr. Hyde. The British people in their amiable and sympathetic views of American aspirations, their love of freedom and personal liberty appeal to us, whereas when matters of policy become practical questions before the British Government the sentiments of the British people evidently are lost sight of. We are now dealing with the policy of the British Government, to which the Senator from Tennessee has referred.

It is the policy of the British Government to acquire the oil supply of the world. I had the pleasure and satisfaction of showing that to the Senate more than a year ago in presenting the report of Mr. Van Manning, the Director of the Bureau of Mines of the Interior Department, which report I had elicited by submitting to him a questionnaire. It was a very valuable report, and I had much difficulty in getting it from the department to which it was first submitted, although the report was made at my instance; and when I submitted it to the Senate I found a reluctance on the part of the Committee on Printing to print it as a Senate document, and it was not printed in its entirety as a Senate document—for what reason I know not—but I managed under the rules to read it into the Record at that time, so that it is in the possession of the Senate. In that report the Director of the Bureau of Mines of the United States showed very clearly by citing facts that the British Government was acquiring oil in all the countries of the world, and at the same time was ignoring the claims of the United States and United States nationals everywhere, denying them participation and access to the soil.

They went so far as to dismiss from their service American citizens. I believe they were taught a lesson by the Germans, who prior to the war were in possession of very valuable natural resources of Great Britain in Australia and her other colonies, and even had great plants in the "tight little island" itself; and they, taking that page from the German book, decided to invade other countries and get their natural resources, in addition to holding strenuously on to their own. I consider it a very good policy for Great Britain if it will work. But it will not work.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Tennessee?

Mr. PHELAN. I do.

Mr. McKELLAR. Right there, I omitted to state that while England was utterly unable to pay the interest on the debts that she owed the United States, she had enough money to appropriate this last year \$5,000,000 to be turned over to her agent,

Lord Cowdray, for the purpose of prospecting for oil in England itself; and they found one little well that, I think, produces about 32 barrels a month, or a year, I have forgotten which. They can throw away their money for the purpose of even prospecting for oil, but they are entirely too poor to pay the interest on their debts to this country; and, by the way, England is buying those oil rights in every nation at the same time. She has spent countless millions of dollars upon acquiring oil property to be used to the disadvantage of American commerce, while declining to pay the interest on the debts that she owes America, and when we are taxing our people to the utmost by reason of those loans.

Mr. PHELAN. Mr. President, the Senator is quite correct, so far as the information which I possess on this subject would lead me to believe, that Great Britain on the one hand wears the Mr. Hyde aspect, putting on the poor mouth of national necessity and excessive taxation and tremendous cost of the war, by reason of which she can not pay her debts, and at the same time she takes that money which the United States supplied her with for the purpose of prosecuting the war—because otherwise her own money would have gone for that purpose—and uses it for the acquisition of oil fields throughout the world, in fear of the commercial and naval rivalry of the United States.

They have taken a feather from the pinion of the American eagle and turned it against that noble bird.

So the struck eagle, stretch'd upon the plain,  
No more through rolling clouds to soar again,  
View'd his own feather on the fatal dart,  
Which wing'd the shaft that quiver'd in his heart.

It is hardly as bad as that. So far their dart has not been fatal; but England, being a "tight little island" with a large colonial empire, has to assert itself upon the seas. The United States is a great producing country, and in pursuit of its national prosperity must prosecute business upon the seas, because a country's wealth and a country's happiness is derived primarily from the exchange of commodities, which is trade and commerce. Therefore, in pursuance of our policy, we created a great merchant marine, and our ships are now restored to the seas, which has caused great alarm in the commercial circles of Great Britain, which does not interest us, nor should it interest us very much. I believe there is room enough in the world for both Great Britain and the United States, as I believed there was room enough for Germany and Great Britain in their commercial enterprises; but Germany made the fatal mistake of trying to subjugate the world by arms when she was on the way of doing it by trade.

Great Britain, therefore, is taking the oil supply of the world. The Senator has referred to subjects which I did not intend to bring up at this moment; but he says that at the very time we loaned them \$4,000,000,000—an inconceivably large amount—they were taking their own money, or our money—it is immaterial; it was all turned into their treasury—for the purpose of acquiring the oils of the world, because, as he well explained, oil is necessary in the operation of ships.

It is an economical use. It gives a wider steaming radius, gives economy in consumption, gives economy in space, and no coal burner can compete with an oil burner in the merchant marine nor in the Navy. The nation that is in possession of the oil is in possession of the trade and in possession of the seas, and that is the thing we have to keep in mind. If there were enough oil for all, we might not resent Great Britain's greed; but there is not enough oil for all, and we are now consuming much more than we produce in this country.

I am not speaking idly when I say that Great Britain has pursued that policy diligently, even at a period of time during the war when she had her back, as she said, against the wall, and she would have been impaled to that wall had it not been for the American Expeditionary Forces. At that time so strong was her trade instinct—almost as strong in her as the instinct of life—that she was acquiring oil then, looking forward to the day when she would have to meet competition upon the seas. Mr. William Denman, who was then head of the American Shipping Board as its first chairman, has given very valuable testimony recently to that effect; and I submit here a letter from Mr. Denman, of which I will read a part, in which he describes the conditions in the spring of 1917, when the Balfour mission came to the United States. The Balfour mission was in the United States for the purpose of wheedling, by those diplomatic graces in which the British are skilled and trained, four billions of dollars from the Treasury of the United States; and at that time, Mr. Denman being a part of the conference at which sat not only Mr. Balfour and Mr. Denman but Secretary Lansing and Mr. Polk, this colloquy occurred:



Mr. Denman, speaking to Mr. Balfour, said substantially:

"I trust you will not misunderstand my frankness about certain conditions prevailing in Congress. Much of your public life has been spent as a parliamentarian, and I may feel assured of your sympathetic appreciation of the difficulties under which I am laboring in attempting to procure drastic war legislation. There is a strong anti-British sentiment in certain groups in the Congress. I believe I can help hold this in check if I have your assurance that there will be a full disclosure of all the agreements between the Allies affecting the interests of the United States and general world shipping conditions. I will not disclose any of these matters to them, but my position will be strengthened if I can assure them that we know all."

Mr. Balfour replied to this that that was the very purpose of the conference, and that all such matters would be fully disclosed to the American conferees.

He never redeemed his promise.

Mr. President, I ask that this entire letter may be printed as a part of my remarks.

There being no objection, the letter referred to was ordered to be printed in the RECORD, as follows:

FOUR BILLION DOLLARS TO THOSE WHO SECRETLY HELPED DESTROY GUAM.

WASHINGTON, D. C., January 1, 1920.

DEAR SIR: In the spring of 1917 the Balfour mission to the United States secured for Great Britain a loan of upward of four billions of dollars. It was a willing transaction between liberal America and liberal Britain. Had the deceptions used in procuring it been known to our Government, the consideration for the loan probably would have had less of good will and more of substantial security for our national interest in the Pacific.

Great Britain is now seeking to renew this loan and substitute distant payment notes for its maturing obligation. This seems a timely opportunity to point out a typical case of that duplicity and lack of candor in Britain's foreign representatives, which have placed a barrier between the liberals of both countries. They have partly destroyed the sympathetic relationship toward the creation of which Mr. Bryce and men of his spirit have so much contributed. They have gravely hampered the similar task of Ambassador Geddes and our quiet but ever-helpful friend Mr. Broderick. The attempt to defeat the Diesel motorship project and the Cunard ship incident, disclosed before the Walsh committee, are similar links in an almost continuous chain.

It is perhaps well that the testimony, which is here offered concerning the negotiation of this loan, comes from one of English antecedents and not sustaining any blood relationship to those now suffering under the atrocities in Ireland.

Mr. Balfour arranged for these moneys in the month of May, 1917. His protestations of deep friendship for the interest of the United States filled our press and warmed his auditors in the Halls of Congress and at the tables, where our hospitality was extended to him. While he was making them the ink was scarcely dry on the last of the three notes constituting the so-called secret Shantung treaties, which, from a naval standpoint, destroyed the island of Guam, probably our most valuable naval base in the Pacific. By their terms Japan, our rival in the Pacific, was, by agreement with Great Britain, confirmed in the possession of the Marienne group of islands, which placed an unsurmountable barrier between us and the North Asiatic coast and the Japanese islands. Great Britain's price for this was the British control of the islands of the South Pacific, which, in the event of the hostilities to which such diplomacy inevitably tends, isolates Guam from the Philippines.

Britain's action is comparable to a treaty between America and Germany, say 30 years ago, whereby, for a price, we agreed secretly to assist her secure the island of Helgoland.

It is obvious that Mr. Balfour owed to us the disclosure of the existence of these agreements. Why he did not requires no further explanation than his quest of the four billions of dollars.

It will help liberal England to understand the growing mistrust of America toward her to know that there was active deception, in addition to suppression of the facts, at the time the loan was negotiated.

At the first session of the conference between the Balfour mission and the American conferees the latter consisted of Secretary Lansing, Mr. Polk, and the writer. On that occasion the following colloquy occurred between Mr. Balfour and the latter. This came after Mr. Lansing had, in a general statement, outlined the scope of our deliberations, when the writer addressed Mr. Balfour substantially as follows:

"I trust you will not misunderstand my frankness about certain conditions prevailing in Congress. Much of your public life has been spent as a parliamentarian, and I may feel assured of your sympathetic appreciation of the difficulties under which I am laboring in attempting to procure drastic war legislation. There is a strong anti-British sentiment in certain groups in the Congress. I believe I can help hold this in check if I have your assurance that there will be a full disclosure of all the agreements between the Allies affecting the interests of the United States and general world shipping conditions. I will not disclose any of these matters to them, but my position will be strengthened if I can assure them that we know all."

Mr. Balfour replied to this that that was the very purpose of the conference, and that all such matters would be fully disclosed to the American conferees.

He never redeemed his promise, and our faith in him led us to believe we knew all. Instead he continued his protestations of friendship, which, with his great personal charm and rhetorical gifts, created a confidence so warm and so profound that it strains our imagination to believe the underlying deception.

The testimony on this, so far as Americans are concerned, is irrefutable. Our President has told us that it was not until months after that he learned of these secret treaties, which not only destroyed the value of our Pacific naval base but at the same time inserted her bitterest enemy into the heart of China, America's real friend in the Orient. Mr. Lansing made a similar statement to the press many months after Mr. Balfour's departure. My own experience, which related to the ship provisions of the secret treaties, is equally clear on the issue.

Liberal America should permit the renewal of the loan of the four billions, for we should be generous with liberal England in spite of her diplomats' methods. However, it should not be with that naïve trustfulness which makes so painful the disclosure of its simplicity.

Very faithfully, yours,

WILLIAM DENMAN.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Tennessee?

Mr. PHELAN. I do.

Mr. McKELLAR. In this connection I call the Senator's attention to the fact that when Mr. Balfour was here in this Chamber, in speaking with him he said that England's position in the war was extremely perilous, and that the entry of the United States into the war had saved England; and now they are not even paying the interest on the loans we made them!

Mr. PHELAN. So much for duplicity; so much for Dr. Jekyll and Mr. Hyde; and so much for the traditional reputation of Great Britain, "perfidious Albion," that she denies her own faith; that she makes promises which she never redeems; and that she is treating little Ireland to-day with greater rigor and severity than ever Cuba was treated by Spanish conquistadores or Belgium by the hated Hun.

Until that is understood by the American people, England will be allowed to slaughter men, women, and children in Ireland for the purpose of exterminating a race which they can not subjugate; and even then the Irish dead seem to have a way of rising even from the grave, as is evidenced by their long history, in order to meet again their powerful foe. An Irish martyr fights eternally!

I must confess to a little feeling in the matter. I love liberty and justice. I hate to see my country made the victim of British blandishments. These gentlemen come over here, are feted and dined, and they tell the conference, which the Secretary of State himself attended, that they will hold nothing back. At that very time they had in their pockets secret treaties which destroyed the powerful and strategic position the United States possessed in the ownership of Guam in the Pacific. They bartered the Mariana, the Caroline, and the Marshall Islands to Japan by secret treaties, and the United States, surrounded by Japanese territory by the grace of Great Britain, something which had been consummated practically at that time, was, having been left in ignorance of this duplicity, led to contribute \$4,000,000,000 to save "Merrie England" from the wrath of the Hun. The English are not a humorous people, but this is the time when they must have laughed.

It was not a brotherly or a neighborly act, but in these transactions of state that side of England which is barbarous and cruel and perfidious developed itself again, and the United States is the victim. Now they ask that the interest on their debt be remitted or that the payment be deferred.



Mr. KING. Mr. President, does the Senator say that England is asking for a remission of interest, and by that does he mean that she is asking to be excused entirely or relieved from the payment of interest?

Mr. PHELAN. No. I understand that at her instance the United States Government has deferred, for a period of three years, the payment of interest.

Mr. McKELLAR. In view of the legislation under which these loans were made, acts of Congress of 1917 and 1918, does the Senator know of any authority in the executive officers of the United States to defer the payment of interest for three years?

Mr. PHELAN. Mr. President, I am not aware that there is any authority in the State Department or the Treasury Department, or in any other department of the United States, to defer the payment of interest. Perhaps the Senator is better informed. It seems to me there have been very many loose methods introduced into the departments by reason of the laxities which have sprung from the war conditions.

Mr. McKELLAR. Mr. President, I will just say that the acts under which these loans were made are very specific. They direct that long-time bonds, not for a longer time than American bonds issued at the same time, and at the same rate of interest, be taken for these loans, and that these are to be interest-bearing bonds, in the same way that our bonds are issued and in the same way that our bonds bear interest, and with like periods of payment. There is no rule better settled in law than that a legislative authority must be strictly carried out by the executive officers of the Government. They can not proceed beyond and they can not make agreements that are not authorized by the act.

My reading of those acts leads me to believe that there is not a sign of authority for the Secretary of the Treasury to do anything except to take long-time bonds, with interest-bearing coupons, such as are provided in the act. He has no authority whatsoever in that act, or any other act that I have been acquainted with, to defer payments or to extend the time of payments.

I wrote the Secretary of the Treasury just before Congress convened, asking him to furnish me information as to what had been done about these loans. He wrote me a letter, in which he stated that the information would be in his report, which came out December 8 last. When the report came out there was no such information in it, and I am rather surprised at the Senator's statement that an agreement has been entered into between our Government and England by which the payment of these debts is postponed for a period of three years, because the acts do not provide for any such postponement.

Mr. PHELAN. The payment of interest.

Mr. McKELLAR. There is no such provision made about the interest, and the Secretary of the Treasury can not go beyond the acts under the law.

Mr. PHELAN. It was my information, which I derived only from the newspapers, that there was an understanding by which the payment of interest should be deferred for three years.

The papers are the great source of all our information, exhibiting a certain degree of accuracy, possessing information which should be in the possession of the legislative bodies, but which only seeps to the legislative bodies through the press; so I am not apologetic for quoting the press. They say that there is now on the way here from Great Britain a gentleman, whose name they give, not associated with the British Government, coming for the purpose of negotiating for a settlement of the debt due to us by Great Britain, intimating that there may be some obligations which we owe to British subjects growing out of the war which might be used in part as an offset, and intimating further that the money was given for the purpose of prosecuting the war in which we were all interested, and that it might be pleasing to the gracious Secretary of the Treasury to make the payment of the English debt to us dependent upon the collection by England of debts due her by France; and there are a great many points which might be debated over a dinner table by which American rights might be bartered away in order that a better understanding should remain between "the great English-speaking nations, which have so much in common," a sentiment that has been worn threadbare by abuse.

I should say it would be the duty of the Treasury under the law to require the payment of the debt, making such terms as would be advantageous, if you please, not in the oppressive sense, but advantageous to American interests; and one effect would be to require her to pay her debts, and at the same time abandon her world policy, emulating the Hun, of corraling and monopolizing the natural resources of the world, especially

oils. Our diplomatists would see that that was no hardship in requiring a rich country to pay her debts, as it merely means a burden of taxation a little heavier upon her people; and if they were wise they would see that by requiring her to pay her debts they would accomplish in a most gentlemanly and courteous way the great purpose which American statesmen should have in mind, of preventing British aggression and of protecting our interests upon land and sea, of protecting the merchant marine and the Navy, whereby the merchant marine and the Navy may get oil supplies at stations anywhere throughout the world; or American nationals may, under the full protection and without the opposition of this world empire, develop oil to be sold in the markets of the world and not withheld from American ships.

In my own State, one of the great oil-producing States of the country—which makes me more or less familiar with this oil situation—Great Britain has quietly purchased our oil lands after they had been developed—the proven oil lands—and Great Britain, as ought to be well known by this time, is operating under the name of the Royal Dutch Shell Co. The Shell Oil Co. of California, a branch of the Shell Trading & Transportation Co., and the bigger Royal Dutch Shell Syndicate, is one of the British owners, while another is the Alexander Wier Syndicate, of London, which owns a large block of stock in the Union Oil Co., of California, and which at one time actively controlled the General Petroleum Co. of the State.

Now, they are acquiring the stock of the Union Oil Co., and I noticed recently that they have transferred some English properties to that California corporation, which they in turn own, and that grows out of the fact that there is proposed in the California Legislature a bill barring from ownership of the land any alien person or corporation; that Great Britain having taken the oil of Mexico, Syria, Belgium, Palestine, and Mesopotamia, California is attempting to protect herself. Talking about sovereignty, the Federal Government has limited sovereignty except when it abandons the constitutional means and declares a war emergency. But the Federal Government was asked to impose an export tax. It was said that it could not be done, because the Constitution barred it. It was asked to impose an embargo, but it was said by some that was not tolerated by our law in time of peace. What can the Federal Government do to prevent Great Britain from taking the oil of California?

Mr. McKELLAR. Mr. President, if I may be allowed to interrupt the Senator, there is no inhibition in our Federal Constitution against an embargo, and under the uniform practice of this body, beginning with President Washington's administration and coming on down to President Wilson's administration, embargoes have been uniformly placed whenever this Government saw fit; and since the *Aurora* case, in 7 Cranch, I believe, one of the early reports of the United States Supreme Court, it has been held constitutional. There is no reason in the world why an embargo can not be placed upon the export of our oil whenever Congress desires that it be done.

Mr. PHELAN. I am very glad to have that assurance from the distinguished lawyer from Tennessee. I remember only last year moving that the President be given power to impose an embargo upon the shipment of oil from this country, as an amendment to the leasing bill, and some Senators observed that there was no authority, as I understood, for Congress conferring that power upon the President, except as a war measure; and, on the other hand, it was objected to on the ground that it might provoke retaliation. We are the persons who are being discriminated against in the world, and the party of the other part is the aggressor. They have denied Americans the privileges of exploration and development in other lands, and if we impose an embargo, or put that power in the hands of the President, we are simply retaliating for injuries that have been done us.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. PHELAN. I yield.

Mr. KING. I was interested in the statement made by the Senator that his State is contemplating, as I understood him, the passage of a law to prevent aliens from acquiring lands within the State of California. I hope the Senator will not give his support, by any implications to be derived from his statement to-day, to that proposition. I invite the Senator's attention to the fact that we are a creditor nation, and it is obvious that we will be compelled to acquire holdings both real and personal in other countries by way of capital investments if we do any considerable trade with other nations. When we were a debtor nation other nations acquired large

holdings in the United States and our commerce was extended by foreign investments. Railroads in the Senator's own State were built in part with money which came from across the seas, and many of our industries were developed with capital which was furnished by foreigners. We were benefited by the transactions, and other nations were benefited. I should be glad to see our trade and commerce extended and markets opened for our surplus products. Congress recognizes the vital necessity of finding foreign markets for our products, and is seeking to furnish credits to Europe in order that the surplus agricultural products of the United States may find markets. But if we develop our commerce to the extent essential for the highest prosperity we will be compelled to make some capital investments, whether we will or no, in the nations which buy our commodities. Our citizens will enter other lands and acquire property. They will in the future more than in the past become the owners of real and personal property in foreign countries.

Americans have farms and ranches and sugar plantations and mines and smelters and railroads and electric plants in our neighboring Republic, Mexico. American holdings there amount to more than \$500,000,000. We have holdings in Central America and in South America. Thousands of Americans are visiting the Republics to the south of us, and also Canada and its various Provinces. Many are establishing homes in those countries and becoming interested in the industrial life of the people.

In my own State a number of corporations have been formed for the purpose of making investments in Colombia and Panama, and I am sure that a profitable trade will be developed between the United States and Colombia as the result of investments which are being made by Americans in Colombia. I am afraid that if the Senator's State passes legislation of the character referred to and that example should be generally followed by the other States of the Union, we would be met by reprisals from other nations and they would enact legislation forbidding Americans from acquiring property therein. If this resulted, might we not lose more than we would gain by prohibiting all aliens from acquiring property in the United States?

Mr. McKELLAR. Mr. President—

Mr. PHELAN. I yield to the Senator from Tennessee to answer the question of the Senator from Utah. His resolution provides for reciprocity, I believe.

Mr. McKELLAR. I do not want to answer so much as I wish to ask a question of the Senator from Utah.

Mr. KING. By the courtesy of the Senator from California?

Mr. PHELAN. Certainly.

Mr. McKELLAR. The Senator holding these views, I ask if he would not be in favor of a law establishing reciprocal relations between Governments; in other words, permitting other Governments and the nationals of other Governments to acquire oil in this country, provided that the United States and her nationals are permitted by such other Governments to acquire oil in the territories of such other Governments. Is not that a perfectly fair reciprocal agreement, and ought it not to be made in the interest of Americans and American rights?

Mr. KING. If I apprehend the question of the Senator, I would respond affirmatively. I believe in reciprocal trade relations between our Government and other nations.

Mr. McKELLAR. That is what I thought the Senator believed.

Mr. KING. The Senator will recall, without having, of course, in mind the subject now under discussion, the last speech delivered by President McKinley. He pleaded for reciprocity and advised his own party indirectly and the American people that the permanence of prosperity in our own country depended upon our trade with other nations. He recognized that the time had come for the modification of the tariff policies advocated by the Republican Party and for larger and freer trade relations between all the nations of the world.

I shall be glad to see reciprocal relations or agreements entered into between the United States and other nations owning oil property, by the terms of which, if they acquire oil possessions here, American citizens shall be permitted to acquire oil possessions there. At any rate, I think I should favor a policy which would preclude the nationals of any country from acquiring oil holdings in the United States if such country denied the right of Americans to secure similar rights in such country.

Of course, we have always to keep in mind the proposition that we have a dual form of government, and the rights of States, as suggested by the Senator from California, are not to be overborne by the Federal Government. There are certain powers which the States possess under our form of government that may not be abridged by the Federal Government. I

would not favor the Federal Government taking any step, no matter how advantageous it might be generally, that might result in the abridgment of the rights of the States or the destruction of the prerogatives and powers reserved by the people to themselves or to the States, respectively.

Mr. McKELLAR. If the Senator from California will permit me to interject an answer to the Senator from Utah, I will call the Senator's attention to the constitutional situation in the case of *Field v. Clark* (143 U. S.), in which all the authorities are gone over.

Mr. KING. I am familiar with that case.

Mr. McKELLAR. I am sure the Senator is. It is one of the most famous cases in our books. I suggest to the Senator that I have put in the Record so much of that opinion as bears upon the particular bill now under consideration by the Senate.

I will say to him also that in obedience to a Senate resolution of last March, in May of last year the President of the United States reported that certain countries excluded America and American nationals from acquiring oil properties, and those countries were virtually coextensive with the British Empire.

Those countries were given by name. There is a report to the Senate, which the Senator can examine, giving the laws by which Americans are excluded. I am sure, in view of the Senator's statement, that when he comes to examine the law in the case of *Field* against *Clark* and the report of the President, which I have mentioned, that he will support the bill which has been introduced.

Mr. KING. Will the Senator from California pardon me a moment?

Mr. PHELAN. Certainly.

Mr. KING. Did the Senator from Tennessee state that England has attempted legislation which would exclude Americans from acquiring holdings, for instance, in Australia, or Canada, or South Africa, or New Zealand?

Mr. McKELLAR. England herself, and in each one of those countries that has been done. It has been done in England and each dominion has taken a like step. She has done it by what are known as orders in council, as the Senator will find.

Mr. KING. May I inquire of the Senator whether those orders in council are operative now and have been continued beyond the time when Great Britain became a party to the peace treaty with Germany?

Mr. McKELLAR. Yes. The President's report of the 17th of May last, as I recall, gives a detailed statement. I do not have it before me at this moment. I shall secure a copy of it and present it to the Senator, because I am sure he will find it interesting in view of the situation.

Mr. KING. Let me say in conclusion, if I may further trespass upon the time of the Senator from California, that if any nation, whether it shall be a dominion of Great Britain or Great Britain herself, or any other nation, enacts legislation that prevents Americans from acquiring holdings, whether they be oil holdings or any other form of property, within the limits of her territory, I would support any legitimate and proper measure that would place their nationals in a like situation in the United States.

We are entitled to fair treatment at the hands of every government, and if they seek to interdict our trade or seek to prevent Americans from making investments, capital or otherwise, in those lands, I see no reason why we should not apply the *lex talionis* and protect the rights of American citizens everywhere under the shining sun.

But I wish to add this: I am somewhat surprised at the statement of the Senator. I will not challenge its correctness, but it had not been called to my attention that Great Britain, which owes so much of her prosperity to her foreign trade and investments, should now adopt a policy which inevitably, if she shall long pursue it, will bring reprisals and will strike at the very foundation of her national prosperity and her commercial activity in the world. She will bring down upon her head the wrath of offended nations and her crown of primacy will be stripped from her, if it has not already been done by our Nation, the giant of the New World.

Mr. McKELLAR. If I may interject again, I will say that the same view that the Senator has just expressed was, as late as November 27 last, expressed by one of the leading oil journals of London, in which it was said that the policy which the British Government had undertaken in regard to oil, especially so far as its agreement to exclude Americans and others from Mesopotamia and Palestine, was a mistaken policy, and that the British Government ought to revoke it. It will be seen that even in England all of them do not approve—at least this particular journal, which is an organ of the trade—of the English policy.



Mr. KING. Of course, the Senator knows that Great Britain has no control over Canada or New Zealand or South Africa or Australia—I mean control for the purpose of determining the landed policy which they shall adopt, and those dominions may enact such legislation as they please, the effect of which might exclude Americans or Germans, or any other nationals, for that matter, from acquiring oil holdings or other property within their boundaries.

Mr. McKELLAR. Of course, I understand that, but it is a little remarkable, and I think the Senator will admit that the President's report shows—there may be one or two exceptions to the rule—that practically only English dominions have barred Americans and others from obtaining oil lands in their territory.

Mr. PHELAN. Mr. President, the Senator from Utah asked me a question concerning the law proposed to be enacted by the Legislature of California forbidding the ownership of any part of its soil by foreign nationals or foreign corporations. At first he deprecated the idea, but in the course of the debate, when better informed by the learned Senator from Tennessee [Mr. McKELLAR], saw the necessity of protecting American interests, because it is well known that Great Britain has practically forbidden the nationals of the United States from operating in British territory oil wells, either the exploitation or the development of them, and also, as I understand it, in the mandatory countries, mandates for which she has recently assumed in the Near East.

Mr. KING. Will the Senator from California pardon me further?

Mr. PHELAN. Certainly.

Mr. KING. In anything which I said subsequently to the expression that I hoped that the Senator's State would not enact the legislation referred to, I did not intend to qualify or modify that general statement. I repeat that at the present time and in the light of present world conditions I would regard it as a mistake if the State of California or any other State should enact a general statute which in terms forbade the nationals of any other country from acquiring or holding property within that particular State or any State. I am not discussing the policy which should be adopted by any State or by the United States if a nation should prohibit Americans from acquiring or owning property within its borders. But as a general proposition, if the State of California or any State should now pass a broad statute forbidding the acquisition of property by an alien in that State, I would regard it as an unwise policy. Of course, I am speaking only of the present and have in mind the picture of the world's affairs at the present time and our relationship to such affairs.

Mr. PHELAN. Mr. President, before answering the Senator I desire to call the attention of the Senate again to the message of the President of May 17, 1920, in response to the Senate's resolution of March 10, 1920, requesting the President, if not incompatible with public interest, to inform the Senate as to the restrictions, if any, imposed either directly or indirectly by France, Great Britain, Holland, Japan, or any other foreign country or dependencies upon the citizens of the United States in the matter of prospecting for petroleum, and so forth.

Referring to the British Empire, the President said:

In general each dominion and colony has its own legislation on the subject of the petroleum industry.

The policy of the British Empire is reported to be to bring about the exclusion of aliens from the control of the petroleum supplies of the Empire and to endeavor to secure some measure of control over oil properties in foreign countries. This policy appears to be developing along the following lines, which are directly or indirectly restrictive on citizens of the United States:

1. By debarring foreigners and foreign nationals from owning or operating oil-producing properties in the British Isles, colonies, and protectorates.
2. By direct participation in ownership and control of petroleum companies.

3. By arrangements to prevent British oil companies from selling their properties to foreign owned or controlled companies.
4. By orders in council that prohibit the transfer of shares in British oil companies to other than British subjects or nationals.

It is understood that the British Government has a controlling interest in the Anglo-Persian Oil Co. and that it has also assisted in the development of the Papuan oil fields by bearing one-half of the expense and contributing experts.

It may be of some significance that by general license of September 1, 1919, prohibited transactions under the regulations of the defense of the realm act were again permitted except as such transactions might relate to oil-mining property.

They excepted oil-mining property from the liberal exceptions of their war legislation; oil-mining property would not be released; and foreigners should be debarred from interfering in anything that affected the development and the production of petroleum oil. We must bear in mind the importance of petroleum oil in order to understand the significance of the action of the British Government. The President continues:

According to recent reports prospecting for petroleum is lawful in the United Kingdom only by the board of trade or the minister of munitions or persons authorized by them. Similar regulations apply to working a petroleum property. The only drilling now going on in the United Kingdom for petroleum is being done by S. Pearson & Son (Ltd.), as petroleum development managers to the Government. It is said to be unlawful for a British citizen, without the consent of the board of trade, to transfer to an alien or to a foreign-controlled company any interest in a company controlling an oil field in the United Kingdom. (Defense of the realm act of 1915 as amended Oct. 23, 1917, regulation No. 30, B.R.)

That simply confirms what I have said, that the British Government is monopolizing the oil of the world and debarring foreigners from participation not only in Great Britain but in her dependencies, protectorates, and mandates. So the fight is on. Shall we respond in the spirit of retaliation, or shall we submit to the injury without protest? California proposes to retaliate. Because the Federal Government has no power, California comes to the aid of the Federal Government. The Federal Government can not pass a statute by which the nationals of Great Britain can be barred from ownership of American soil. What is the poor United States going to do? The United States must appeal, in the spirit of reciprocity and reprisal, to the States of the Union severally to enact through their legislatures laws barring Great Britain or any other country that adopts such an attitude toward our Nation and our nationals. So California proposes to pass an alien land law, barring all aliens from the ownership of land, whether it be agricultural or mineral.

Last November California passed by popular vote an initiative law barring from the ownership of the soil those aliens who were ineligible to citizenship, which included the Japanese, the Hindus, and the Chinese. So now we have a good law upon the statute books, barring certain aliens from the ownership of our soil. It was intended by that act to protect the agricultural lands of the State from being monopolized by persons who were racially incapable of becoming citizens because they can not assimilate and make a homogeneous people. If I should analyze the question, it would be seen that to permit them to enjoy citizenship would be to plant the seeds of democratic dissolution, and we should have no democracy, for we can have none where we do not have real equality among our people, with the right to intermarry and to grow up as one family. We can not grow up as two families without having a divided house, and "if a house be divided against itself, that house can not stand."

Mr. KING. Mr. President, will the Senator yield to me?

Mr. PHELAN. I yield.

Mr. KING. I understand the Senator's statement to be that his State proposes now to enact a law which will prohibit all aliens from acquiring land, either mineral or agricultural, or any real estate holdings, I presume, within the State. Would he go so far as to prevent aliens from holding personal property?

Mr. PHELAN. No.

Mr. KING. The prohibition, then, will apply merely to real estate?

Mr. PHELAN. Yes.

Mr. KING. The Senator knows that there are many people from his State who have large holdings in Mexico, and those holdings are not limited to personal property, but consist very largely of real estate. There are a number of people from my State who have real estate as well as personal property in Mexico and also in South American Republics. And at the present time there are billions of dollars worth of property owned by American citizens in other countries, and in order to sell our surplus products Americans have extended to Europe during the past two years nearly four billions of credits. In some cases they have obtained European securities and perhaps in some instances have taken property—situate in Europe—in part payment.

I desire to ask the Senator as one who desires the welfare not only of his own State but of all the States and of all the people within the States whether at the present moment he justifies legislation of the character just referred to; and whether he does not think that such legislation may be seized upon by Obregon or by foreign Governments as the basis of a policy that will prevent Americans from acquiring property within such countries?

The Senator knows that in South America and in Central America to-day there are some people who distrust the United States. They think that we have sinister designs not only upon their Governments but upon their property; that we are now maintaining in the Panama Canal Zone a large number of soldiers not for the purpose of protecting the Panama Canal but as a sort of menace to and threat against Latin America. Does not the Senator think that if his State and other States in the Union should enact legislation of the character referred

to it would provoke hostility from our neighbors to the south, whose friendship we so much desire, as well as the hostility of people in Europe and elsewhere; and that they might be led to legislate along the same lines, so that we should be precluded from making capital investments in other lands for the purpose of aiding our trade as well as for other legitimate and proper purposes?

Mr. PHELAN. The Senator from Utah does not, of course, include Great Britain, for I have just demonstrated to him that Great Britain has already barred Americans.

Mr. KING. Mr. President, if the Senator will pardon me, I was speaking of a general statute; I am not speaking now of a State passing a law by way of retaliation against some other nation that has precluded Americans from acquiring property within its borders. If the legislation to which he refers is leveled against Great Britain alone, and Great Britain has prevented Americans from acquiring real estate within her colonies and dominions and within Great Britain herself, another question is presented, and I might very heartily concur in legislation of that character; but a broad statute, aimed at the whole world, I think, would be a mistake, and we would suffer more, perhaps, than other nations.

Mr. PHELAN. The Senator is aware that Great Britain is not the only offending country. I refer him to the President's letter and I also refer him to the report of the Bureau of Mines, where each country in turn is mentioned, and most of them have imposed either prohibitions or restrictions. It seems the policy of all these countries is to hold the oil—this new-found precious mineral—tight in their own possession. For that I am not disposed to blame them, but I want the same privilege for the United States. The Senator admits that there is no power in Congress to protect the United States; so the protection given to this country must be given by the several States themselves to prevent the depletion of our supply.

Mr. KING. Mr. President, I hope the Senator will pardon me, but I do not wish him to misinterpret anything that I have said. I have said nothing to indicate impotency on the part of the Federal Government to protect itself. I merely stated that the Federal Government could not interfere with the prerogatives and rights of the States; there are some things in which the States are supreme; there are some things in which the Federal Government is supreme. I agree with the Senator from Tennessee as to the power of the Government to lay an embargo. I discussed that question to some extent in 1917, when the question of embargo was under consideration here, and called attention to some of the acts that were passed by Congress in the time of Thomas Jefferson.

Mr. PHELAN. As to the embargo, I again remind the Senator that I proposed such a provision as an amendment to the leasing bill, but received no support in the Senate. I considered at that time that it was the only Federal remedy possible. Granted that the power reposes in the United States to impose an embargo, then such action should be taken at once by Congress, because, as I stated at that time, by giving the President power to impose an embargo the foreigner would be deterred from acquiring American oil lands, for if he could not export the oil he would not seek the land. However, that remedy was denied, and since then large tracts have been acquired.

Mr. President, a very curious thing happened in Washington the other day. During the conversations between the Japanese ambassador and the State Department, I learn from the newspapers again, it was suggested as a measure of pacification to the Japanese that California, having by plebiscite denied them the ownership of land, it was now proposed by the legislature to enlarge that prohibition to include all other nations; and therefore the Japanese might go back to their people and say there is no discrimination against them; that the law is universal in its application. The Japanese took time to consider it, and after a day or two came back—having been visibly pleased, I am told, by the proposal—to say that they could not consider it at all; and I am again informed by the mysterious and underground sources of information, as well as by the public press, that there was some sort of a conference between British interests and Japanese interests, and that Japan was told not to accept that as a compromise because it would bear too hard upon her distinguished ally, Great Britain, which was trying to hold onto her oil lands in California and even to acquire more.

We are diplomatically unwise. We are foolish in our generosity. What has happened within the last two months in California? The Shell Oil Co., the British company, has sold to Japanese tankers, three of them—I think there is one in the harbor now—which have come all the way from Japan to take our oil, our California oil, of which there is an insufficient

supply for our needs, and carry it over, I am told, to their great storage plants in Formosa. Two tankers took away, I am told, 86,000 barrels of oil, and I have since been advised that they paid for that oil to the British company operating in California and taking that fluid out of our soil \$1.80 a barrel, whereas American industries in California, if they are permitted to buy it at all, have to pay \$2.40 a barrel, and on top of that it is being rationed. They say who shall and who shall not have the privilege of buying it.

They are making little pretense of serving local interests, and it seems to me almost beyond belief that a foreign corporation could in any Government, even as loosely organized as our own and as generous as our own, be permitted to take out of the soil the essential fluid which can never be returned and give it to a possible enemy, who is storing it away against the day when it shall need that oil for the propulsion of its war craft.

Why, if we had that system, which is thought admirable in England, of issuing orders in council, the first act of a wise administration would be simply to interdict the exportation of any more oil from this country without a license or a permit, knowing its destination and ultimate use. But there we are, California, this fair land that produces everything in such abundance, is bleeding to death and losing its vital fluid; and where is it going? To support rivals in trade. Whether they be English-speaking or Japanese-speaking, they are rivals in trade; and certainly by no law are we obliged to facilitate the business of our rivals in trade or to build up an enemy which might ultimately destroy us.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. PHELAN. I yield.

Mr. KELLOGG. I think it is true that the British Government and other Governments are trying to exclude American citizens from developing oil lands in their possessions. Is this Government taking any steps to protect American citizens or to procure by treaty rights for American citizens the same privilege to develop oil lands in foreign countries which foreigners have in this country?

Mr. PHELAN. I am not well advised as to that; but I read in the press again that the State Department had protested to England against the barring of Americans from participation in the development of the oil fields in the mandatory countries, in the Near East, Mesopotamia, Palestine, Syria, and also in Persia. That is the only step that I know that has been taken, and that is a matter of public knowledge.

Mr. KELLOGG. We have the power to retaliate and prevent them from doing so.

Mr. PHELAN. We have the power.

Mr. McKELLAR. Of course. I will say to the Senator that that is the purpose of my bill.

Mr. PHELAN. Did I understand the Senator from Tennessee to say that he had written the State Department for information on that subject?

Mr. McKELLAR. No; but I saw the protest of Mr. Polk, the Undersecretary of State, last March or April—

Mr. PHELAN. That is the one to which I refer.

Mr. McKELLAR. And then a letter of protest of Secretary Colby, four or five weeks ago. These protests seem to have been futile. As I understand the situation, an American oil company before the war—before we entered the war, at all events—secured permits from Turkey to prospect for oil in Mesopotamia, and probably built a railroad to carry the oil-digging machinery and supplies; but the war came on and stopped that, and when the American company proposed to continue under the Turkish permit England stepped in and said: "No; we are a mandatory for Mesopotamia, and you can not go in now," and the matter has been held up for some months.

That is the situation practically with all the English colonies, protectorates, mandatories, and even spheres of influence; and I will say to the Senator that the purpose of my bill is to require all countries that obtain oil rights here, or that obtain our oil in this country, to give American citizens exactly the same right to obtain and own and mine oil in their countries, and I think it is a perfectly fair proposition. It is in a measure retaliatory, of course, but it ought to become the law, and I hope it will become the law, and I hope the Senator will vote for it.

Mr. PHELAN. If there is no such resolution on the table, I shall introduce to-morrow a resolution asking the State Department what it has done in the matter of protecting the rights of Americans abroad in respect to the exploitation and



development of oil; but whereas, as the Senator from Minnesota says, the remedy may be in the negotiation of treaties, still there is no such protection given American citizens, as I understand, in these matters, and we must, therefore, fall back upon statute law.

Mr. KELLOGG. I did not say that that is the only remedy.

Mr. PHELAN. It is one of the remedies.

Mr. KELLOGG. It is one of the remedies, and the trouble might be that if the Federal Government should enter into a treaty which was contrary to the law of the State the treaty would be superior.

Therefore the Federal Government ought to try to protect American citizens by treaty rights.

Mr. PHELAN. That is another constitutional question; and I shall not enter into a discussion of the power of the Federal Government by treaty to override the act of a State acting within its legitimate jurisdiction on a subject which is not international in character. I do not know but that the ownership of land, the control of the land, the succession to the land, as we have always claimed in the discussion of the League of Nations, is a domestic question, and it is an impertinence for a foreigner either to demand admission to the country, which is our country, or to own its lands; and therefore these subjects are not international. It is an invasion by a foreigner into our domestic affairs, and, not being international, it might not be competent for the President and two-thirds of the Senate to set aside a statute of a State. That is a nice question.

Mr. KELLOGG. Mr. President, I do not want to interfere with the Senator's argument. I quite agree with the Senator that we ought not to admit foreigners to become citizens of this country who will not amalgamate and make a homogeneous people. I think it is a vital question to the national life of this country. But the status as a legal proposition of a foreign citizen in any State, and his rights in those States as to ownership of property, is a Federal question which may be regulated by treaty; and when the treaty is made, if such a one should be made, it is superior to the laws and the constitutions of the States. The Supreme Court has settled that question. So I think it is important that such foreigners should be excluded by treaty, and that the Government at least ought to exercise all vigilance possible by treaty to protect the rights of American citizens in foreign countries.

Mr. KING. Mr. President, will the Senator yield?

Mr. PHELAN. I yield.

Mr. KING. I think one statement of the Senator from Minnesota may be construed a little too broadly, and I ask for information. The Senator indicated, as I understood, that there ought to be a treaty for the purpose of determining the rights of aliens in the United States, and I agree with him; but I understood him to indicate that unless that were done it might lead to very serious complications. I did not quite understand the point of the Senator.

Mr. KELLOGG. No; I did not say that. I said simply that if the Federal Government did by treaty provide what rights foreigners should have in this country, it was the supreme law of the land. That is all I said.

Mr. PHELAN. Mr. President, I have been turned from a discussion of oil to immigration—a subject which I should like to discuss by itself, because I am intensely interested in the solution of the immigration question. The Senator from Minnesota states, however, that by treaty a State may be deprived of the power which in the absence of a treaty it would be entitled to enjoy, or that as against a State law the treaty would prevail. Doubtless in many instances that is so; but there is one consideration to which I will refer, and then I shall discontinue that part of the discussion.

The theory of that power—the power of the President, by and with the consent of two-thirds of the Senate, to make treaties—must have been based, in the minds of the Constitution makers, upon the fact that the States composing the Federal Union, being represented in the Senate, would be able to look after their own interests, and that there would be some comity between the representatives of the several States by which injury would be prevented which would apply to one State by reason of its peculiar resources and which would not apply to another State; and that is our condition in California. We come to the States of the Union, represented in the Senate, to protect us either by treaty or by statute against any danger which may affect the substantial interests of the people of the State, such statutes or such treaties not affecting at all the other States, because in the one instance they may not have among their resources oil, or in the other instance they may not be exposed to oriental immigration. So we are quite willing to come to the Senate for our protection; but the Senator from Utah says, as though

it were a new matter, that we would excite the animosity of the world if we passed any laws barring as a general proposition foreigners from ownership of the soil. I call his attention to the Federal statutes which apply to the District of Columbia and the Territories. Here is a statute which apparently has been forgotten, by which no alien can own land in the District of Columbia:

#### CHAPTER VII.—ALIENS.

Sec. 396. Real estate: It shall be unlawful for any person not a citizen of the United States or who has not lawfully declared his intention to become such citizen, or for any corporation not created by or under the laws of the United States or of some State or Territory of the United States, to hereafter acquire and own real estate, or any interest therein, in the District of Columbia, except such as may be acquired by inheritance: *Provided*, That the prohibition of this section shall not apply to cases in which the right to hold and dispose of lands in the United States is secured by existing treaties to the citizens of subjects of foreign countries, which rights, so far as they exist by force of any such treaties, shall continue to exist so long as such treaties are in force, and no longer, and shall not apply to the ownership of foreign legations or the ownership of residences by representatives of foreign governments or attachés thereof.

Sec. 397. Corporations: No corporation or association of which over 50 per cent of the stock is or may be owned by any person or persons, corporation or corporations, association or associations not citizens of the United States shall hereafter acquire or own any real estate hereafter acquired in the District of Columbia.

Sec. 398. Forfeiture: All property acquired or held or owned in violation of the provisions of this chapter shall be forfeited to the United States, and it shall be the duty of the United States attorney for the district to enforce every such forfeiture by bill in equity or other proper process. And in every such suit or proceeding that may be commenced to enforce the provisions of this chapter it shall be the duty of the court to determine the very right of the matter, without regard to matters of form, joinder of parties, multifariousness, or other matters not affecting the substantial rights either of the United States or of the other parties concerned.

The United States, you will observe, has set the pace.

I understand that there is an act on this subject applying to and including the Territories of the United States, and I know that the State of Oklahoma, and the State of Arizona, and the State of Illinois, and the State of Washington have statutes barring foreigners from ownership of the soil, and that there are restrictions in other States, such as Indiana, Pennsylvania, and Minnesota.

So it is a matter of Federal policy, as well as in many States State policy, to bar foreigners from the ownership of the soil. It is established law. What injury can it possibly do? The injury might be in retaliation. But we find the world has already taken an aggressive stand against us. So our act will be retaliation.

We depend upon Mexico for oil. Is there the least danger of Mexico in good faith retaliating? No; because Mexico, having an abundance of oil of her own, is not seeking California oil. She does not bar anybody from the development of oil, so far as I know, but there have recently been imposed some restrictions, which have been rather burdensome to the oil operators, more in the nature of excess taxes, I should say, or legislation affecting the absolute ownership of the soil. But it is not done, certainly, in the spirit of retaliation, because Mexico is not barred through her nationals from coming into most of the States of the United States, and if barred, by a prohibitory statute, it would not affect Mexicans, because it is well known that they do not develop foreign countries; they do not develop their own country. Living in a poor country, without any capital, they are not going out into strange lands to explore for oil.

So, as a practical proposition, I do not see how the proposed law in California, if it is enacted, would operate except as retaliation against the countries which have already barred Americans.

But the advantages and benefits must be weighed by legislators. California has a great field of oil. We produce probably 280,000 barrels a day. That in itself is not large, but there is a great deal of oil land there which has not been developed and which should be tightly held, economically operated, and not wastefully used, because, after all, there is a limit. I am told that we have not exhausted more than 1 per cent of the estimated coal resources of the United States, but as to oil the experts say we have already used perhaps 60 per cent of the entire stored oil of the United States. So it is only a matter comparatively of a short time until we shall have exhausted our oil, and how, in the face of that, can the State legislature, conserving the interests of California and of the country, permit foreigners to come in there under any circumstances and take out this fluid and send it away to foreign lands for their use and benefit?

Mr. McKELLAR. Mr. President, I will say to the Senator that the experts say that it will all be exhausted in this country, at the present rate of production, in 15 years.

Mr. PHELAN. At the present rate of consumption.

Mr. McKELLAR. Of production, too. Of course, the production and the consumption are practically the same.

Mr. PHELAN. We can regulate both.

Mr. McKELLAR. At all events, at the present rate of production, or the present rate of consumption, it will be all gone in about that time.

Mr. PHELAN. If I were a member of the Legislature of the State of California, the question raised by the Senator from Utah [Mr. KING] would have to be very carefully considered. But reading the President's message and reading the report of the Bureau of Mines, and finding that as an actual fact Americans are barred now from operating oil wells and owning property in foreign lands, it would appeal to me as very good statesmanship to pass a blanket law barring nationals of these other countries from owning and controlling our California oil wells. As a matter of fact, it affects only Great Britain; but it would be better, I think, to make it general in its terms than to single out Great Britain as the one country because Great Britain is the one enterprising country that is going around the world looking for oil, with a view of perpetuating her primacy upon the sea.

So really this general law would affect in California only Great Britain. So it is a question of international courtesy, whether we should name the culprit, or whether we should make the law so general that it would include the culprit; and I am in favor of causing the least offense while accomplishing the greatest good. If it is true that the Federal Government has barred foreigners from owning real estate in the District of Columbia and, I believe, in the Territories, and that the States of Arizona, Illinois, Oklahoma, and Washington have such laws, the fact that California proposes to pass such a law, with such an excellent precedent, should not cause any surprise. But California has the precious fluid—that is the point—and a law there would be of some service. Furthermore, when we were liberal in giving these rights to foreigners, where we might have barred them from owning and developing the soil, it was at a time when we needed the foreign money, and the foreigner wanted a field for investment. Now, the scepter has passed from London to New York, and nobody is asking London for money, unless it be the Secretary of the Treasury, and he can not get it.

Everybody who has an enterprise goes to New York, the great money center. Therefore there is no reason—and when the reason ceases the law ceases—why we should have practically a law on the statute books of California giving Great Britain the very valuable privilege of taking our property away from us, property which we can ill afford either to sell or to give away, vital for our interests and our industries, by land and by sea.

Therefore I am of the opinion that the California statute should be enacted, and I will say that the California delegation day before yesterday in conference expressed as its opinion the desirability of enacting that statute. It will serve a double purpose there; first of giving a face to Japan. She can tell her people at home, who are clamoring in the market places for equality, that this law of California, passed by a wicked people, barring the Japanese from ownership of the soil, has now been broadened to embrace all people, and therefore Japan has been treated in terms of equality, because her disabilities are the common disadvantages of all.

The second reason is that Great Britain is under our very nose taking our oil and, which adds insult to injury, is actually shipping it in Japanese tankers to Japan. Must we tie our hands while this is going on? If the Federal Government had the power to help us, I would appeal to the Federal Government. I would be very glad, following the suggestions made here to-day, to submit a resolution to give the President power to impose an embargo, and I think that any President would, in these circumstances, impose an embargo. But in the absence of an embargo, there is no other remedy than that remedy which is possessed by the State of California, and which California proposes to use.

This is a period of international good will. We have been our brother's keeper, and the brother, having regained his freedom, is exercising it to the limit, and in the exercise of his freedom he has not exercised a very nice discrimination in serving friend as against foe. He trades with Germany, his hated enemy, in order to get in ahead of the American agents. We have been slow in concluding formally a state of peace, which should exist between this country and the nations of the world.

But our brother has not been neglectful of taking advantage of our absence from the council board. Because we did not sit in the council of the League of Nations, after having created it

by our sword, the fruit of the prowess and the courage of our men, at a critical moment, they have denied us equal privileges in Mesopotamia and other mandatory countries, and they have, pursuant to the covenant of the League of Nations giving discretion, allocated to Japan and to Great Britain the mandates for the Marshall, Mariana, and Caroline Islands north of the Equator and German Samoa south of the Equator, from which they have turned our ships by preferential treatment of their own. There has been imposed a discriminatory duty of 7½ per cent by New Zealand against our merchantmen on the value of their cargoes, and in favor of British merchantmen, in German Samoa, when, during the 16 years of the occupation by the hated Hun, Americans enjoyed equal privileges with all other nations, as they did in the Marshall and the Caroline and Mariana groups.

The good President said, in his conference with the Committee on Foreign Relations of the Senate, that there was an island over there—he did not recall the name of the island—that he would certainly get as a favor to an old servant. He would get for the United States the island of Jap—or, rather, Yap; there is a horrible significance in the similarity of "Jap" and "Yap." The island of Yap, it was testified by officials of the Government at the time, was vital for our communication between continental United States and our island possessions and Asia, a most important strategic point, a little island through which we could send our radios and lay our cables; but that, too, has gone the way of all flesh. Greed knows no friendship. The President has been undeceived. The Senate by resolution has asked in vain what has become of Yap.

Now, we have not been treated by these nations, bound in fraternal bonds, with any degree of consideration whatever, and, of course, it is reopening an old question, but the Senate of the United States is blamed for it. If the Senate had so provided, we would have had a representative on the council of the League of Nations, and we would have imposed conditions in the awarding of mandates, or we would have prevented an awarding of mandates as we saw fit, as it required unanimous action by the council, and we would have had our share of the rich oil fields of the countries in the Near East, which were disposed of by the council under the terms of the treaty. So, if it is any gratification to this side of the Chamber to know, the fault lies with the other side of the Chamber in refusing to give us representation in good season.

Now there is a change of administration, and I gather very clearly that there is going to be an international understanding by which we will participate in the settlement of Old World affairs, in the interest of justice, democracy, and humanity, and it will be a modification of the League of Nations.

Mr. McKELLAR. After the division of the spoils has been made.

Mr. PHELAN. I was going to add, we will come on there lagging, lagging superfluous upon the stage after the show is over and the doors are closed.

Mr. KELLOGG. Mr. President, for the information of Senators if they should care to look into it, the Senator from Montana [Mr. WALSH] placed in the CONGRESSIONAL RECORD on July 14, 1919, volume 58, Part 3, at page 2526, an address which I made when I was president of the American Bar Association, reviewing all the authorities upon the question of the supremacy of the treaty-making power. I did not attempt to discuss the question as to whether Japan had any treaty rights as to her citizens or not, but assuming such treaty rights, I discussed the question of the supremacy of any treaty to the laws of the States and the constitutions of the States respecting a foreign citizen's status in this country.

Mr. KING. Mr. President, in a brief colloquy between Senators during the discussion of important questions one runs the risk of being misunderstood in respect to matters under discussion. I am not sure that I made my position plain when I interrupted the Senator from California and propounded a few questions and submitted a few observations. With much of what the Senator says I am in accord.

I did not intend to convey the idea in anything stated by me that I denied the power of the States to prohibit by legislation aliens from acquiring lands or other property within their borders. I do not question the right or the power of States, subject to the treaty-making power of the Federal Government, and perhaps other limitations, to enact legislation denying aliens the right to own real or personal property within their respective borders.

The Senator has directed attention to a law of Congress relating to the District of Columbia. I am familiar with that law and recall that a number of years ago, when I was in the House, I participated in framing a statute which imposed



limitations upon the right of aliens to hold real estate within the District of Columbia. Nor am I unmindful of the acts of Congress which prohibit aliens from locating mineral lands of the United States; and I know that it has been the policy in the Territories to deny to aliens the same rights to own real estate as those enjoyed by citizens of the United States. I also am familiar with the fact that a few States have enacted similar legislation.

I repeat, it is not the question of the power of the States that I am discussing, nor am I challenging their inherent right to deal with their domestic questions, including the terms under which aliens may hold and enjoy property within the boundaries of the States. What I am questioning at the present moment is the wisdom of the policy of California, or any State, to pass laws which deny aliens the right to acquire and enjoy property, real or personal, or both, within their borders.

We can not be oblivious to the fact that the world is in an unsettled and unstable condition. Jealousies, suspicions, and profound distrust exist throughout the world. The failure of the United States to enter the League of Nations has unquestionably led some of the peoples of the world to question the sincerity of our Nation in its protestations of disinterested friendship for the oppressed peoples throughout the earth. Undoubtedly there are some nations jealous of the power and wealth and prestige of our country, and our every act, particularly if it is impressed with an international character, or affects directly or indirectly international matters, receives the most careful scrutiny in the chancellories of many nations and by many peoples throughout the world.

We insist that our Nation has given unmistakable evidence of its friendly interest in the welfare of humanity, and that it is now desirous of promoting the peace and happiness of the people of every land. The people of our Nation have rejoiced when freedom and prosperity have come to any part of the world. We have been glad when democracy supplanted autocracy, and when artificial barriers, erected at the demands of empirical statesmen or selfish groups to isolate nations and separate peoples, and interrupt legitimate trade and commerce, have been removed. We had believed that the peace of the world would be prompted by friendly commercial relations between the nations of the world. We have encouraged aliens to come to our shores and have welcomed them into the citizenship of our land. We have been glad, at a time when we were a debtor Nation, to have our creditors beyond the seas aid us in settling trade balances by acquiring property within the United States.

We not only offered no objections but earnestly sought for foreign investments in industrial enterprises and in various forms of property in our country. Billions of dollars of European capital found its way to the United States. At the time we entered the World War citizens of Germany owned property in the United States to the extent of approximately \$1,000,000,000. The subjects of Great Britain had large investments in the United States, and the investments of citizens of Holland and France and Belgium and other nations of the world reached immense proportions. While there is a feeling upon the part of many in our country that we have sufficient resources here to absorb the interest of Americans, and that there is no occasion for them to seek homes or investments under other flags or in other lands, the fact still remains that thousands of our citizens have gone to other lands and by their thrift and industry have acquired homes and property of great value. I stated a few moments ago that Americans had invested in Mexico to the extent of more than \$500,000,000. Indeed, the amount is very greatly in excess of the figures just stated. Thousands of Americans have gone into Mexico not to exploit Mexico but to aid in its development. They have contributed, by their efforts and their energies, to the wealth of Mexico, and have been benefactors of the Mexican people.

The American people realize that their prosperity is dependent upon the prosperity of the people of other nations. Efforts are being made to increase our foreign trade, and corporations are being organized for export trade. These corporations will operate in many foreign countries. American citizens will go to these countries, and thousands of them will acquire temporary, if not permanent, residences in foreign lands. The world is small, and nations and peoples are being brought into apposition, and the provincialisms, the cruel rivalries, and the crude and narrow and bigoted policies which obtained in past ages are yielding to a higher civilization and to nobler conceptions as to the relations which should exist between the children of men. International law is being rewritten, and higher standards of international justice are governing the

world. This Republic now and in the future must be an example to the world. Our policies must be those of an enlightened and progressive nation. While America and her interests and the rights of American citizens must be protected and regarded as paramount, nevertheless this Republic must pursue a course in its dealings with other nations such as to command the respect and admiration and confidence and affection of all fair-minded and liberty-loving people throughout the world.

The world has not recovered from the Great War. The nerves of the people everywhere are on edge. People are jealous and suspicious of each other and nations view with distrust and alarm nearly every step taken by one another. The great work of the hour is the restoration of peace and confidence in the world. Any policy, even though it is justifiable and under most circumstances would be proper, but which may promote unfriendly criticism or dissension or suspicion, should, if possible, be avoided at this time. Efforts are made by misguided persons here and in other lands to provoke animosities and jealousies and bitter rivalries between nations. Harsh criticisms are indulged in against Japan and Great Britain, as well as other countries, and citizens and high officials in those countries undoubtedly indulge in denunciation of the United States as well as other countries. This is a time for toleration and friendliness and broad charity. I doubt the wisdom of a policy which announces at this time to the nationals of other countries that they can not acquire property within California and other States of the United States. I am afraid the psychology of it would be bad. The object of such legislation will be misinterpreted and a broader meaning will be attributed to it, and the belief will perhaps arise that such legislation was prompted by sinister and selfish and narrow nationalistic policies.

A little later, if there is manifest danger to our institutions or if there is any injury resulting from aliens acquiring and owning property in the United States, undoubtedly the States would take proper action, and their course would meet with universal approval in our country. My fear is, as I have suggested, that legislation of the character in question, if it should be at all general in the United States, would arouse antipathies and fears and antagonisms which might be lasting among peoples whose friendship we desire and for whose welfare we have a very deep concern.

It is human nature to act upon the evidences immediately before us and to deal with questions with which we come in contact, forgetting, or at least not fully appreciating that the contacts and apprehensions of the day disappear in the sunlight and the broader vision of the morrow. Our own interest should prompt a course that will be promotive of world friendship and such as will increase our foreign trade. There were many Americans whose distempered judgment led them to denounce the League of Nations and all forms of cooperation with our Allies and with the nations of the world. There was a demand upon the part of millions of Americans for national isolation. They did not see that our prosperity and welfare were inseparably bound up in the prosperity and welfare of the nations of Europe as well as those of the rest of the world.

But now the eyes of the people are being opened, and from all parts of our land demands are made that the avenues for international trade and commerce shall be created. Upon the other side of the Chamber, and among those who opposed the League of Nations, there has arisen a demand for legislation that will aid our export trade. They have insisted that the War Finance Corporation be revived, and that we extend credits to Europe to the extent of billions of dollars, in order that the people of Europe may purchase our surplus products. Europe is unable to pay for our products because of a lack of gold and because her production is so limited that she does not possess commodities in sufficient quantities for export in payment for the commodities which she desires to purchase. I am told that Americans have, since the armistice, acquired holdings in European nations, and that even in Germany the capital stock in corporations was acquired to such an extent as to arouse a fear upon the part of Germany that America would acquire control of many German factories as well as a great amount of German property.

As I suggested, there are many Americans who deprecate capital investments in foreign lands, but so long as we have commercial relations with other peoples, and as long as we are a vigorous and adventuresome people, we will engage in business in other lands and will acquire property therein.

Mr. WILLIAMS. Mr. President, I suppose if there be one man on the floor who is pretty nearly a free trader and who believes thoroughly in untrammelled commercial relations be-

tween all the peoples of all the countries of the world; that person is I. I think with the Senator from Utah [Mr. KING] that we ought to cultivate world trade, foreign trade, as an extension of our own trade, to take care of our surplus products which are the result of our surplus labor.

But the reason which the Senator has just given for his opposition to this immediate legislation seems to me to be thoroughly irrelevant to that thought. In the first place, denying to aliens the right to own your own soil or to own anything upon your own soil, is not an interference with international commerce or with international trade, or with any commerce, call it by what name you choose.

Then the Senator tells us that if we deny to aliens the right to own property and to be capitalists, owning corporations in America, we thereby incite them to legislation which will deny us the same right within their several boundaries. As for myself, I should welcome that. I would be glad to see it. I do not approve of American capital seeking employment in Germany at this time, or anywhere else with a foundation upon the soil of other countries. While I am glad to see absolute, untrammelled trade between Jan Schmid, of Germany, and John Smith, of England or of America, I am not glad to see American capital seeking other shores for the purpose of giving employment to foreign labor upon foreign soil, whereas we have a great country of our own needing capitalistic exploitation to the highest degree and needing the exploitation of American labor to the utmost ability of American capital to employ American labor.

Nor do I see that legislation passed by any country against another to prevent the ownership of lands within the boundaries of the country passing the legislation is in contravention of any right of any people from any other country may have. From the very beginning of time that has been with the States of this Union a principle, more or less deserted of late years. Very early in our history Virginia denied the right of aliens to own land, and that was followed up in very many of the States, though after a while there came an absurd worship of immigrants and immigration and an absurd kow-towing of politicians to the immigrant vote, and as a consequence of that most of those laws were repealed with the idea of flattering the resident voters of foreign countries, so as to get their votes for political purposes by extending privileges and favors to the foreigners of their nationality that were not justified upon any ground of our own ultimate good.

I believe it would be very well if American capital would stay at home, and very well if American capital would devote itself to the employment of American labor for the purpose of building up the American commonwealth and of making American labor and American capital close and fast friends. I believe that any man who puts his money in Germany when he could put it in America is just that far lacking in a certain spirit of patriotism and devotion to his own people. I believe that a man who does it because he can make a half per cent or 1 per cent more money is absolutely lacking in patriotism. He ought to be willing to suffer a loss of a half per cent or 1 per cent rather than build up those who have but recently been the enemies of our country, if he has to do it at our expense by diverting capital whose use we need.

Not that I would desire that the enemies of our country in the late war should be held in shackles by any means. I think we have gone, if anything, too far in that direction. We ought not to go any further certainly. We ought to remember that the natural state of man is peace and not war, and, looking toward his natural state, that our duty now is to cultivate friendship and not to keep alive enmity. But at the same time, when you talk about the right of controlling your own soil and buildings upon your own soil, or about your own schools, and those other things which are peculiarly of your own soil, that is a different matter. I may love you very much, I may have the very highest regard for your character, and the highest hope for your welfare, yet at the same time I may be absolutely opposed to making you a member of my family or to allowing you to set up a mill in my back yard or to run any other works of your own over which I do not possess full control, but which you put upon my land. I do not see the analogy between the two thoughts, both of which to a large extent I represent—certainly to the very largest possible extent in America, consonant with having a revenue for the Government—the idea of untrammelled free commerce between all the peoples of the earth. I place it in my own mind upon an equality almost with freedom of thought, freedom of expression, freedom of religion, and all the other forms of freedom which are generally attacked in days of emergency, or whose temporary weakening is always afterwards regretted.

# RECESS.

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p.m.) the Senate took a recess until to-morrow, Friday, January 7, 1921, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, January 6, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, our Heavenly Father, for the blessed promise that good shall at last overcome evil and Thy will be done. History and observation confirm the truth—

Oh, sometimes gleams upon our sight,  
Through present wrong, the eternal right,  
And step by step, since time began,  
We see the steady gain of man.

That all of good the past has had  
Remains to make our own time glad,  
Our common daily life divine,  
And every land a Palestine.

Let this hope comfort us and in a common faith move forward to the glorious consummation through the promises and incomparable life of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

### LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

By direction of the Committee on Appropriations, Mr. Wood of Indiana presented the bill (H. R. 15543) making appropriations for the legislative, executive and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, which was read a first and second time, and, together with the accompanying report thereon, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BYRNS of Tennessee. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Tennessee reserves all points of order.

### CONFERENCE REPORT—OMNIBUS PENSION BILLS.

Mr. SELLS. Mr. Speaker, I present for printing under the rule conference reports on the bills (H. R. 7775, 9281, 10315, and 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The conference reports are, as follows:

### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 22, 28, 30, 34, 35, 40, 50, 55, 57, 61, 66, 79, 83, 85, 92, 98, 99, 102, 106, 112, 113, 127, 130, 142, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 27, 29, 31, 32, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 56, 58, 59, 60, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 84, 86, 87, 88, 89, 90, 91, 93, 95, 96, 97, 100, 101, 103, 104, 105, 107, 108, 109, 110, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 132, 133, 134, 135, 136, 137, 139, 140, 141, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, 161, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Jason Adkins, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month."

And the Senate agree to the same.



Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Martha E. Waldsmith, widow of William A. Waldsmith, late of Twenty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each of the minor children of said William A. Waldsmith until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Ethel A. Kane, widow of William M. Kane, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of the minor child of said William M. Kane until she reaches the age of 16 years."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Fanny Weill, widow of Julius Weill, late of Battery M, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Julius Weill until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Susan J. Purcell, widow of John J. Purcell, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said John J. Purcell until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Katherine G. Manning, widow of Michael Manning, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Michael Manning until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Sarah J. Holley, widow of Charles W. Holley, late of Tenth Company, United States Coast Artillery, and Company M, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Charles W. Holley until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Alice F. Travis, widow of Charles T. Travis, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Charles T. Travis until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Christine E. Geiger, widow of Austin Geiger, late of the Fortieth and Eighty-fifth Companies, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said Austin Geiger until she reaches the age of 16 years."

And the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Mary Michel, widow of John N. Michel, late of Company A, Twelfth United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said John N. Michel until she reaches the age of 16 years."

And the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Anna M. Neill, widow of Jesse A. Neill, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 additional on account of each of the minor children of said Jesse A. Neill until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Bridget Reynolds, widow of James C. Reynolds, late of Company F, Thirty-fifth Regiment Michigan Infantry, and Company H, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said James C. Reynolds until they reach the age of 16 years."

And the Senate agree to the same.

SAM R. SELLS,  
EDGAR R. KIESS,

*Managers on the part of the House.*

P. J. McCUMBER,  
REED SMOOT,

*Managers on the part of the Senate.*

#### STATEMENT.

The House recedes from amendments Nos. 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 27, 29, 31, 32, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 56, 58, 59, 60, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 84, 86, 87, 88, 89, 90, 91, 93, 95, 96, 97, 100, 101, 103, 104, 105, 107, 108, 109, 110, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 128, 129, 132, 133, 134, 135, 136, 137, 139, 140, 141, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, and 161.

These are cases in which it is believed that either the provision of the act of May 1, 1920 (commonly known as the Fuller bill), and the act of June 5, 1920 (commonly known as the Sells bill), will give relief, or where they were simply corrections made by the Senate committee, except amendment No. 116, which the House conferees agreed to, the beneficiary having been pensioned by special act less than a year ago.

The items stricken from the bill in the above amendments are as follows:

H. R. 601, David S. Williams; H. R. 628, Joseph McClure; H. R. 656, Jesse A. R. Forbes; H. R. 668, Patrick H. Madigan; H. R. 672, Frank Shaw; H. R. 779, Otto M. Payton; H. R. 951, John McGinley; H. R. 970, George W. Turner; H. R. 971, George W. Oblisk; H. R. 982, Mary J. Pack; H. R. 986, David M. Allen; H. R. 1022, Chester E. Green; H. R. 1257, Eddie E. Sterrett; H. R. 1298, Bernard M. Stanton; H. R. 1783, Horace G. Pope; H. R. 1793, Annie M. Wood; H. R. 1832, Claude H. Dean; H. R. 1884, John Coffey; H. R. 1931, Edward S. Coffin; H. R. 2016, Brother Buis; H. R. 2773, Louis B. Smith; H. R. 2817, Phillip E. Hartman; H. R. 3026, James W. Duty; H. R. 3069, Isaac N. Troutman; H. R. 3221, Elmer Wagar; H. R. 3269, George C. Hazeltine; H. R. 4018, Michael Mulvey; H. R. 4361, Charles Brubaker; H. R. 4537, John A. Kennepohl; H. R. 4710, James F. Mitchell; H. R. 4905, Howard H. Long; H. R. 4918, John W. Paulus; H. R. 4961, Simon P. Kieffer; H. R. 5056, Charley Douthitt; H. R. 5071, Casey A. Cox; H. R. 5088, James L. Doris; H. R. 5091, Frank A. Morton; H. R. 5192, Anson B. Countryman; H. R. 5351, Eugene E. Clark; H. R. 5379, Thomas H. Ivers; H. R. 5388, Robert A. Carnegie; H. R. 5488, Eugene Johnson; H. R. 5689, August J. Griesbach; H. R. 5969, Thomas L. Feyen; H. R. 5974, Otto O. Yaap; H. R. 6072, Martin Tepper; H. R. 6084, Robert Noble; H. R. 6194, James Prosek; H. R. 6195, George H. Haverkate; H. R. 6199, Samuel M. Deets; H. R. 6259, George H. Bruckner; H. R. 6262, Michael Long; H. R. 6387, Nathaniel J. Stonecipher; H. R. 6406, Maria Louise Richardson;

H. R. 6607, John E. Tingley; H. R. 6609, Floyd B. Daugherty; H. R. 6693, David U. Denind; H. R. 6723, William E. Warren; H. R. 6831, George W. Malin; H. R. 6844, John Moloney; H. R. 6900, Simeon D. Morrison; H. R. 6984, James F. Romines; H. R. 6985, Jesse W. Beam; H. R. 7032, Harry Patterson; H. R. 7078, John H. Page; H. R. 7131, Leroy F. Moore; H. R. 7136, Isaac M. Conley; H. R. 7223, James T. Brown; H. R. 7313, Adam E. Haughn; H. R. 7330, Joseph W. Nolen; H. R. 7334, Daniel J. Bresnahan; H. R. 7339, Edward J. Davis; H. R. 7454, Dalbert Gray; H. R. 7503, Annie E. Arnold; H. R. 7512, Edward E. Henton; H. R. 7513, Charles W. Lanahan; H. R. 7518, John J. Mitchell; H. R. 7524, Carl C. Dunham; H. R. 7525, Andrew Kravets; H. R. 7549, Robert H. Roberts; H. R. 7550, Daniel B. Yeaple; H. R. 7556, Pierre L. Carmouche; H. R. 7568, John B. Peters; H. R. 7570, Emma S. Norton; H. R. 7603, William D. Craft; H. R. 7604, Thomas J. Reynolds; H. R. 7728, Charles W. Streeter; H. R. 7806, Joseph Flewellling; H. R. 7848, William Seybold; H. R. 7873, Walter E. Harris; H. R. 8008, Frances T. Denton; H. R. 8057, Elizabeth C. Bell; H. R. 8097, Simon P. Parrish; H. R. 8150, Daniel P. Myers; H. R. 8295, Noel M. Pursley; H. R. 8307, William Edwards; H. R. 8321, John F. Mulhall; H. R. 8332, Lester D. Parkton; H. R. 8368, William C. Shaffer; H. R. 8563, Michael W. Hurley; H. R. 8602, Benjamin F. Lamkin; H. R. 8644, Fritz Hintermeier; H. R. 8713, Donald E. Leslie; H. R. 8788, Peter W. Weber; H. R. 8814, Jefferson C. Smith; H. R. 8830, Walter L. Jewell; H. R. 8982, Edward J. Oeding; H. R. 8983, Robert S. Peterson.

The Senate recedes from its amendments striking out the following cases:

No. 4, John F. Campbell (H. R. 641): The beneficiary was allowed \$17 per month by special act in 1910. The increase to \$24 appears justifiable.

No. 22, Orville G. Willett (H. R. 1763): This man has leprosy. He was exposed to it in the Philippines. He is in quarantine now on account of the disease. The doubts are resolved in his favor and the pension of \$50 per month recommended by the House is approved.

No. 28, Irving Wohl (H. R. 1963): The increase in this case from \$8 to \$12 per month appears justifiable in view of the fact that disease of lungs has been accepted by the Bureau of Pensions as due to service.

No. 30, Sarah E. Kiplinger (H. R. 2765): The claimant's husband served during the time of the early Indian wars and she is 80 years of age. A pension of \$12 per month appears to be justifiable.

No. 34, Charles T. Durand (H. R. 2990): This man had the required service during certain Indian campaigns, and if he had reached the age of 62 years he would get \$20 per month at the Pension Bureau. It is believed the committee is justified in waiving the few years in the age requirements.

No. 35, Charles P. Michener (H. R. 3008): The evidence fairly well shows that part of claimant's disabilities are due to his service. A pension of \$12 per month appears to be justifiable.

No. 40, Pleasant D. Cooper (H. R. 3599): The beneficiary is over 70 years of age and was treated in service for malaria and still has malarial symptoms. The proposed pension of \$12 per month appears to be warranted.

No. 50, Schuyler C. Pool (H. R. 5058): The beneficiary has to use a wheel chair in going from place to place, and in order to walk has to use two canes. The increase of pension to \$36 per month appears to be justifiable.

No. 53, Robert S. Parker (H. R. 5197): The Fuller bill enacted May 1, 1920, will probably allow this soldier a rate of \$50 per month, but there may be a question, and as he was wounded during the War with Spain, besides serving in the Civil War, the rate of \$50 per month recommended by the House is approved.

No. 57, Harry Noel (H. R. 5368): The beneficiary was treated in service for headache and facial neuralgia. This was followed since service by disease of eyes. The small pension of \$12 per month appears to be justifiable.

No. 61, James W. Mitchell (H. R. 5595): The soldier had almost seven years' service in Signal Corps, United States Army, before serving in the War with Spain. His disabilities, when considered with the record of treatment in service, appear to be largely due to his Army service, and the rate of \$24 per month proposed is approved.

No. 66, Thomas D. O'Shea (H. R. 5976): The beneficiary might receive relief at the Pension Office under the act of June 5, 1920, but there is some doubt, so the case is approved.

No. 79, Charles M. Fink (H. R. 6480): The soldier served nearly three years and was then discharged on account of neurasthenia or nervousness, which, it was stated, existed prior to enlistment. It is believed the Government should be held to account in part for enlisting the man, as his condition appears

to have been aggravated, so the pension of \$12 per month is approved.

No. 83, Edward Hinman (H. R. 6713): The beneficiary is 79 years of age. He is pensioned as an Indian war soldier at \$20 per month. The proposed increase to \$30 per month is justifiable.

No. 85, William A. Waggoner (H. R. 6733): The beneficiary might be able to obtain relief at the Bureau of Pensions under act of June 5, 1920. There is some doubt, however, and the bill as passed by the House is approved.

No. 92, John T. Griggs (H. R. 6884): The son of the beneficiary died in the service of his country. The father has four small, motherless children to rear. It is believed that the small pension of \$12 per month is proper, notwithstanding the income from the beneficiary's labor.

No. 98, Jane C. A. Porter (H. R. 7060): It is believed to be proper to waive the required 60 days' service for the allowance of this Mexican War widow's pension at the rate of \$25 per month, in view of the fact that soldier only lacked 1 day of having the necessary 60 days.

No. 99, James I. Sloan (H. R. 7061): It appears that this soldier should never have been enlisted, but as he was accepted for service the small pension of \$12 per month appears justifiable.

No. 102, Kate B. Horan (H. R. 7129): The beneficiary is afflicted with asthma, disease of heart, varicose veins of both legs, and is unable to work. She is pensioned as the widow of an Indian war soldier. An increase of pension to \$20 per month seems to be warranted.

No. 106, Lillie P. Hinman (H. R. 7284): In this case the beneficiary is pensioned at the rate of \$12 per month as a contract nurse in the War with Spain. She is in poor financial condition and afflicted with malaria, contracted in Cuba. The increase to \$20 per month appears to be justified.

No. 112, Anna O'Brien (H. R. 7389): If the husband of beneficiary were living, he would now have a pensionable status under the act of June 5, 1920. His widow would appear to be entitled to similar treatment, so the pension in this case of \$12 per month is approved.

No. 113, William E. Gault (H. R. 7420): This man will probably receive \$30 per month at the Bureau of Pensions under act of June 5, 1920, but of this there is some doubt, so the increase of pension to \$24 per month, as recommended by the House, is approved.

No. 127, Tebitha E. Cummings (H. R. 7579): The soldier's service as cavalryman probably had to do with subduing hostile Indians. He was pensioned in his lifetime for deafness, contracted in service. A pension of \$12 per month to the widow is warranted.

No. 130, John H. Henry (H. R. 7668): The soldier had only 77 days' service during the War with Spain. He was discharged for disability. His present condition may be in part due to his service, so the rate of \$12 per month proposed appears justifiable.

No. 142, William O'Bryan (H. R. 8046): The beneficiary is pensioned under the general law for malarial poisoning. He is unable to earn a living for his family, which consists of a wife and six children. An increase of pension to \$24 per month appears to be warranted.

No. 148, Elizabeth A. Shull (H. R. 8309): The late husband of the beneficiary served in the early Indian wars. She is nearly 70 years of age and badly afflicted with rheumatism and other infirmities and has no property. An increase of pension to \$20 per month, as proposed, appears to be warranted.

SAM R. SELLS,

EDGAR R. KIESS,

Managers on the part of the House.

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 8, 12, 16, 18, 19, 26, 28, 29, 30, 42, 43, 48, 67, and 73.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 9, 10, 11, 13, 14, 15, 17, 20, 21, 22, 23, 24, 25, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 69, 70, 71, 72, and 74, and agree to the same.



Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Sophie Reimuller, widow of George Reimuller, late of Company C, Forty-seventh Regiment New York Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of the minor child of the said George Reimuller until he reaches the age of 16 years."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant of Company A, First Regiment Oklahoma Infantry, National Guard, border defense, and pay her a pension at the rate of \$17 per month and \$2 per month additional on account of each of the minor children of the said Ernest S. Roach until they reach the age of 16 years."

And the Senate agree to the same.

SAM R. SELLS,

EDGAR R. KIESS,

*Managers on the part of the House.*

P. J. McCUMBER,

REED SMOOT,

*Managers on the part of the Senate.*

#### STATEMENT.

The House recedes from amendments Nos. 2, 3, 4, 6, 7, 9, 10, 11, 13, 14, 15, 17, 20, 21, 22, 23, 24, 25, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 69, 70, 71, 72, and 74.

These are cases in which it is believed that either the provisions of the act of June 5, 1920 (commonly known as the Sells bill), will give relief or where they were simply corrections made by the Senate committee, except amendment No. 47, where the amount was increased by the Senate from \$17 to \$24, and amendment No. 50, which the House conferees agreed to, the case being considered of very doubtful merit.

The items stricken from the bill in the above amendments are as follows:

H. R. 611, James L. Buckler; H. R. 675, Charles W. Van Scoyk; H. R. 920, Carson Rummel; H. R. 921, John Bohntinsky; H. R. 1306, Charles Voos; H. R. 1732, Ernest Meyer; H. R. 1842, Marlon P. Barnett; H. R. 1844, Joseph Roddy; H. R. 1847, John C. Graves; H. R. 1849, Schuyler Van Tassel; H. R. 1980, John J. Burke; H. R. 1998, John C. Koeplinger; H. R. 1999, Albert Beehler; H. R. 2447, William McBride; H. R. 2457, Wynn M. Mays; H. R. 2459, George W. Chandler; H. R. 2465, Walter Scott McQuaide; H. R. 2743, Barton E. Connor; H. R. 2751, Peter Beebe; H. R. 2826, Floyd J. Gaines; H. R. 2830, Joseph A. Beckmeyer; H. R. 2833, George F. Swob; H. R. 3071, Andrew J. Pohlman; H. R. 3208, Robert G. Phinney; H. R. 3266, Ulysses G. Hunt; H. R. 3268, Flen Whalin; H. R. 3582, Clem S. Kirkham; H. R. 3600, Howard M. Blakenship; H. R. 3606, James J. Shortell; H. R. 4015, John E. Schilling; H. R. 4021, Miller Kincaid; H. R. 4535, Fred J. Jahrires; H. R. 4536, George E. Lovin; H. R. 4544, Daniel B. Reddecks; H. R. 4734, William Mendenhall; H. R. 4900, Louis N. Hickey; H. R. 5075, Gilbert E. Donnelly; H. R. 5106, Willard Kolp; H. R. 5196, Nathaniel Singletary; H. R. 5371, John Alford; H. R. 5776, William J. Linn; H. R. 6382, Cosam Julian Bartlett; H. R. 6482, Clemson Underwood; H. R. 6488, James E. Householder; H. R. 6734, George W. Willets; and H. R. 7515, Starling N. Caron.

The Senate recedes from its amendments, striking out the following cases:

No. 1. Hannah J. Clark (H. R. 574). The evidence filed shows that claimant is over 72 years of age, owns no property, is physically unable to work, and has no income but her pension, and it is believed the increase of pension to \$20 per month is warranted.

No. 8. Rebecca Strouther (H. R. 949). This claimant is pensioned as a dependent mother of a soldier who served as a volunteer in the War with Spain at the rate of \$12 per month. The evidence shows she is about 78 years of age, almost helpless physically, and has no income but her pension and what neighbors give her. An increase of pension to \$20 per month appears to be warranted.

No. 12. Maria Kuehn (H. R. 1839). Pensioner is receiving \$12 per month as the widow of an Indian war soldier. Evidence shows that she is over 75 years of age, very feeble, and has no

income but her pension. An increase of pension to \$20 per month appears to be justifiable.

No. 16. William E. Sloane (H. R. 1848). The son of claimant served during the entire period of the War with Spain, Philippine insurrection, and Chinese Boxer uprising. While his death from disease of lungs was not accepted as due to service by the Bureau of Pensions, the evidence may be accepted by the committee as showing such to be a fact. The claimant is shown to be deaf and dumb and nearly 70 years of age. The facts presented appear to warrant a pension of \$20 per month.

No. 18. Samuel W. Van Riper (H. R. 1858). The soldier served during certain Indian campaigns, but not in the zone of hostilities. He claims to have been wounded while in a skirmish with Indians. He is 84 years of age, and a pension of \$12 per month appears to be justifiable.

No. 19. Reinhard Anschuetz, alias Charles Reinhard (H. R. 1908). Soldier is pensioned as an Indian war soldier at the rate of \$20 per month. Evidence submitted shows that he requires the personal aid and attendance of another person. An increase of pension to \$30 per month appears to be justified.

No. 26. Martha Tyler (H. R. 2460). Claimant's first husband served in the early Indian wars, but as she remarried she has no title to pension in the Bureau of Pensions. She is 80 years of age, owns no property, and has no income. A pension of \$20 per month does not appear to be excessive in this case.

No. 28. Narcissa A. Grant (H. R. 2474). This claimant is a remarried widow of a Mexican War soldier, whose last husband is dead. She is over 80 years of age and owns no property. Many precedents warrant the allowance of \$20 per month.

No. 29. Lizzie Eaton Webster (H. R. 2475). As soldiers who served during the War with Spain are pensioned for disabilities not due to service by the act of June 5, 1920, it appears justifiable to now pension their widows, so a pension of \$12 per month in this case is deemed justifiable.

No. 30. Thomas S. Garen (H. R. 2476). It is believed that a part of claimant's disabilities were contracted in service on the evidence submitted and a pension of \$12 per month appears to be warranted.

No. 42. Caroline M. Anthony (H. R. 3270). Claimant contracted malaria in the service as a contract nurse. She is highly commended by Surg. Gen. Gorgas for services she performed. She is in a pitiable condition physically and financially. An increase of pension to \$30 per month appears justifiable.

No. 43. William H. Brane (H. R. 3503). The evidence in the case is sufficiently strong to show that at least part of claimant's disabilities are due to his Army service, and the pension recommended by the House appears to be warranted.

No. 48. William B. Hendrick (H. R. 3841). This claimant now has status for pension under act of June 5, 1920, but there are reasons for believing that he might not be pensioned on technical grounds, hence approval of the bill is acceded to.

No. 67. Mary Kirk (H. R. 6408). This is a case of a remarried widow of a Mexican War soldier. Her last husband is dead. She is 86 years of age, owns no property, and has no income. There are many precedents for the allowance of \$20 per month, as recommended in this case.

No. 73. George S. Jenkins (H. R. 6986). Soldier is about 70 years of age and by reason of general infirmities is wholly unable to perform labor and has no income but his pension of \$20 per month as an Indian war soldier. The increase to \$30 per month seems justifiable.

SAM R. SELLS,

EDGAR R. KIESS,

*Managers on the part of the House.*

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 12, 21, 22, 34, 53, 64, 66, 91, 94, 104, and 107.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 95, 96,

97, 98, 99, 100, 101, 102, 103, 105, 106, 108, 109, 110, and 111, and agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment, North Carolina National Guard Infantry, border defense, and pay her a pension at the rate of \$17 per month and \$2 per month additional on account of each of the minor children of said George L. Pittman, until they reach the age of 16 years."

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Mary Furfey, widow of Edward A. Furfey, late Battery I, Seventh Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Edward A. Furfey, until they reach the age of 16 years."

And the Senate agree to the same.

SAM R. SELLS,  
EDGAR R. KIESS,  
*Managers on the part of the House.*  
P. J. McCUMBER,  
REED SMOOT,  
*Managers on the part of the Senate.*

#### STATEMENT.

The House recedes from amendments Nos. 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 108, 109, 110, and 111.

These are cases in which it is believed that either the provisions of the act of May 1, 1920 (commonly known as the Fuller bill), and the act of June 5, 1920 (commonly known as the Sells bill), will give relief or where they were simply corrections made by the Senate committee, except amendment No. 32, where the beneficiary had only recently been pensioned under the act of March 4, 1917; No. 44, where soldier has no title at the Bureau of Pensions under existing law; No. 59, where the dependent mother's claim was rejected at the bureau; No. 72, where claimant is deceased; No. 90, where claimant possesses property valued at \$6,500; No. 95, where the beneficiary is receiving \$12 per month by special act and is not shown to be more than one-half disabled; and No. 106, where the beneficiary has no title at the Bureau of Pensions.

The items stricken from the bill in the above amendments are as follows:

H. R. 770, James W. Hendrickson; H. R. 790, Charles E. Kingsley; H. R. 798, William H. Brooks; H. R. 801, Michael W. Murphy; H. R. 1333, William H. Miller; H. R. 1922, Philip Owen; H. R. 1933, Walter C. Tharp; H. R. 2736, Joseph E. Bivans; H. R. 2739, Eliza L. Ellis; H. R. 2836, William B. Stroope; H. R. 3506, Fred F. Bennett; H. R. 4055, John E. Root; H. R. 4935, Peter L. Johnson; H. R. 5786, John D. Andrews; H. R. 5856, William F. W. Gordon; H. R. 5892, Nellie L. Benton; H. R. 6394, George J. Cox; H. R. 6534, Joseph F. Smith; H. R. 6608, Alfred M. Graham; H. R. 6785, Mary J. Beard; H. R. 6817, David J. Hanger; H. R. 7048, Bert B. Hughes; H. R. 7080, Stephen Harder; H. R. 7178, Robert E. McCormick; H. R. 7179, Isabel Bertrand; H. R. 7274, Walter Sewell; H. R. 7276, William Olday; H. R. 7325, Nathaniel J. Smith; H. R. 7438, Everett A. Dibble; H. R. 7516, Samuel A. Berry; H. R. 7552, Robert Wilks; H. R. 7731, Martin K. Wright; H. R. 7761, John C. McDowell; H. R. 7818, Benjamin W. Clark; H. R. 7862, Harry W. Miller; H. R. 7956, Elmer S. Baker; H. R. 8129, Sarah E. Walker; H. R. 8270, Anton Casper; H. R. 8347, Lee Toms; H. R. 8411, Albert F. Knight; H. R. 8412, Thomas H. Cox; H. R. 8517, Albert Yoder; H. R. 8569, Jacob Hicks; H. R. 8633, Roscoe Schutt; H. R. 8685, John J. Robinson; H. R. 8849, Pearl C. Holt; H. R. 9058, John M. Sexton; H. R. 9084, Margaret A. Storie; H. R. 9088, Charles H. V. Wiggin; H. R. 9104, Edmund W. Roderick; H. R. 9184, Sarah Adaline Youngblood; H. R. 9188, Mary Kinne; H. R. 9191, George T. Keith; H. R. 9260, James Duffy; H. R. 9329, Lefe Strickland; H. R. 9332, William E. McGee; H. R. 9334, Fred A. Safford; H. R. 9344, George V. M. Sommerhauser; H. R. 9429,

John A. Shaw; H. R. 9455, Zadok K. Basden; H. R. 9460, Theodore L. Shaffer; H. R. 9482, Anna Kendrick; H. R. 9507, Charles I. Meek; H. R. 9518, Theresa Cloyd; H. R. 9576, Murray R. Marshall; H. R. 9588, Stanford Holmes; H. R. 9597, Harry L. Vance; H. R. 9685, Andrew H. Wegman; H. R. 10016, Abe Erlich; H. R. 10244, Sarah R. Fuller; and H. R. 10361, Emily E. McKee.

The Senate recedes from its amendments striking out the following cases:

No. 5. Peter Black, H. R. 999. This soldier had service during the War with Mexico not accepted by the Bureau of Pensions as having any connection with that war, but Congress recognized the validity of his claim and granted him a pension at the rate of \$20 per month. He is now 91 years of age, and the proposed increase to \$40 per month appears equitable.

No. 6. Dora F. Wilson, H. R. 1267. The soldier was discharged from the service on account of disability. He appears to have had some Indian war service not pensionable under existing law. It appears proper to grant his widow \$12 per month.

No. 12. Peter F. Van Auken, H. R. 2446. The soldier was discharged on a surgeon's certificate of disability after serving 59 days. The evidence indicates that at least part of his disability is due to his Army service, so a pension of \$12 per month appears proper.

No. 21. Gus H. Weber, H. R. 5239. The beneficiary is pensioned for hernia, contracted in service, at the rate of \$10 per month. His hernia becomes strangulated at times, so the increase of pension to \$24 per month appears to be justified.

No. 22. Helen Cecilia Schaarmann, H. R. 5319. The claimant's son had service in the Philippines, and his death may have been due to his service. The claimant is 83 years of age and dependent, so a pension at the rate of \$20 per month appears proper.

No. 34. James C. Claxton, H. R. 6983. The beneficiary might secure relief under act of June 5, 1920, but in this there is some doubt, so the bill granting a pension at the rate of \$17 per month is approved.

No. 53. Charles L. C. Sherwin, H. R. 7866. The beneficiary had no Indian war service pensionable under existing law, but he did serve on the Texas frontier, having the same duties as volunteers who are pensioned under existing law, so to pension him as an Indian war soldier at the rate of \$20 per month appears justifiable.

No. 64. Mary Jane Graham, H. R. 8552. The beneficiary is the remarried widow of a soldier who served in the War with Mexico. Her last husband is dead. She is 90 years of age. A pension of \$25 per month appears proper.

No. 66. Leroy Dunn, H. R. 8571. The soldier had seven months' service in the Regular Army. He was mustered into the service in time of peace, when the Government makes careful examination of those who enlist. His discharge on account of disease of lungs became necessary. The weight of the evidence is to the effect that he was sound at enlistment, so the pension of \$17 per month is approved.

No. 91. Emma A. Esarey, H. R. 9496. The beneficiary in this case is 74 years of age. The evidence fairly well shows that her son's death was due to his Army service, so the pension of \$12 per month is apparently justified.

No. 94. Teddy Sexton, H. R. 9547. The beneficiary's condition is in part due to his service, and his pitiable condition appears to justify the allowance of \$30 per month.

No. 104. Mary A. Baldrige, H. R. 9739. This claimant is the former widow of a Mexican War soldier and is 86 years old. Her last husband is dead. In conformity with the law relative to widows of Civil War soldiers, the passage of the bill is believed to be proper.

No. 107. Martha Ann Welch, H. R. 9961. Claimant is former widow of a Mexican War soldier. She was remarried and her pension terminated. She secured a divorce from her last husband by reason of desertion, and is now 85 years of age. A restoration of pension appears to be justifiable.

SAM R. SELLS,  
EDGAR R. KIESS,  
*Managers on the part of the House.*

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:



That the Senate recedes from its amendments Nos. 8, 9, 12, 14, 16, 39, 66, 67, 71, 76, 80, 85, 87, 91, 96, 97, 101, 111, 140, 151, 152, 156, 172, 192, 194, 196, and 197.

That the House recedes from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 81, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 195, and 198, and agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving."

And the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert:

"The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each of the minor children of the said William J. Sanders until they reach the age of 16 years."

And the Senate agree to the same.

SAM R. SELLS,  
EDGAR R. KIESS,  
*Managers on the part of the House.*  
P. J. McCUMBER,  
REED SMOOT,  
*Managers on the part of the Senate.*

#### STATEMENT.

The House recedes from amendments Nos. 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 81, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 195, and 198.

These are cases in which it is believed that either the provisions of the act of June 5, 1920 (commonly known as the Sells bill), will give relief or where they were simply corrections made by the Senate committee, except amendment No. 52, where the amount was reduced by the Senate from \$17 to \$12; amendment No. 88, where the Senate reduced the amount from \$17 to \$12; amendment No. 90, where the Senate reduced the amount from \$30 to \$20; amendment No. 104, where the Senate reduced the amount from \$17 to \$12; and amendment No. 190, where the Senate reduced the amount from \$25 to \$20.

The items stricken from the bill in the above amendments are as follows:

H. R. 604, John Whittington; H. R. 620, Asa C. Pieratt; H. R. 631, George W. Lambert; H. R. 654, John C. Ferneding; H. R. 658, John A. Gaut; H. R. 670, Joseph B. Ohr; H. R. 805, James Cunningham; H. R. 1798, Walter S. Stewart; H. R. 2747, Oliver P. Jackson; H. R. 2762, William H. Culler; H. R. 2767, George B. Locke; H. R. 2768, Christopher C. Ogden; H. R. 2769, Peter

Poirier; H. R. 2802, Peter F. O'Brien; H. R. 2803, Frank Lynch; H. R. 2829, Alva C. Foster; H. R. 3052, Andrew B. Erb; H. R. 3063, Joseph D. Blackwell; H. R. 3203, Augustus W. Connor; H. R. 3272, Thomas C. Nation; H. R. 3514, Gustave Stellar; H. R. 4001, Harry Weinheimer; H. R. 4012, Alfred Rivers; H. R. 4040, John W. Oldfield; H. R. 4721, William A. Zinn; H. R. 4967, John L. Dick; H. R. 5054, John W. Warman; H. R. 5066, James E. Yeager; H. R. 5069, Miner N. Howard; H. R. 5090, Amel G. Johnson; H. R. 5364, David A. Turner; H. R. 6181, Simon T. Hickman; H. R. 6615, John Scott; H. R. 6618, John Sullivan; H. R. 6619, Raleigh J. Stanberry; H. R. 6694, Edward Schrum; H. R. 6696, Charles T. Pickens; H. R. 6727, Bascum M. Meyers; H. R. 6784, George W. Bales; H. R. 6942, Louis H. Traylor; H. R. 7072, Jacob Imhoff; H. R. 7076, Robert H. Sheaffer; H. R. 7285, John H. Franklin; H. R. 7329, James M. Taylor; H. R. 7364, John E. Harris; H. R. 7430, Daniel B. Klingensmith; H. R. 7511, William Fussnecker; H. R. 7730, William Constable; H. R. 7772, Nicholas Sharp; H. R. 7851, Otis O. Milliken; H. R. 8001, Albert Beiro; H. R. 8017, James K. Vance; H. R. 8361, Samuel C. Braden; H. R. 8373, Thomas A. Puyear; H. R. 8879, Oliver Hull; H. R. 9187, William Wade; H. R. 9347, Rachel Ann Tooill; H. R. 9400, Harry H. Rockey; H. R. 9535, James E. Johnson; H. R. 9545, Oliver M. McRoberts; H. R. 9585, Albert O. McNulty; H. R. 9622, Philipp Ausmus; H. R. 9674, Earl Sanders; H. R. 9741, Richard M. Gilbert; H. R. 9743, Cary M. Carlton; H. R. 9771, William C. Jacobs; H. R. 9828, James H. St. Clair; H. R. 9884, Henry Blankenship; H. R. 9885, Alfred N. Oakleaf; H. R. 9920, Hugh Hoch; H. R. 9962, Augustus Thompson; H. R. 9970, Frank F. Pittman; H. R. 9993, Brice Selby; H. R. 9994, Albert A. Lyke; H. R. 9995, Corwin W. Hollibaugh; H. R. 10017, James N. Davis; H. R. 10030, Robert W. Koontz; H. R. 10040, James Renshall; H. R. 10090, Albert M. Kuppel; H. R. 10097, Peter Kankiewicz; H. R. 10141, John C. Kulpman; H. R. 10153, Lewis A. Boone; H. R. 10173, Mike Cattarini; H. R. 10178, Ralph Erwin; H. R. 10199, George Crago; H. R. 10217, David R. Locke; H. R. 10275, William Holt; H. R. 10294, Frank Godar; H. R. 10298, Jacob Cain; H. R. 10314, John O. McMahon; H. R. 10319, Conrad H. Rowe; H. R. 10320, Alice Barkley; H. R. 10342, Walter G. Smith; H. R. 10387, George W. Rabel; H. R. 10389, William H. Brown; H. R. 10391, Charles C. Chilson; H. R. 10415, Edward C. Walt; H. R. 10429, Bert M. Dorton; H. R. 10445, Hans R. Jacobson; H. R. 10468, Wesley Priest; H. R. 10474, Harry S. Stahl; H. R. 10496, Frank M. Preston; H. R. 10500, Frank S. Schmidt; H. R. 10503, Walter C. Hathaway; H. R. 10602, Thomas Flinchum; H. R. 10624, Mary S. Wilson; H. R. 10659, Jane Polsgrove; H. R. 10724, Eugene P. Williams; H. R. 10751, Daniel Burke; H. R. 10754, James S. Haggard; H. R. 10755, Joseph Tewell; H. R. 10766, Ivar A. Amell; H. R. 10767, Jean B. Kopf; H. R. 10768, Robert Hand; H. R. 10777, John B. A. Richard; H. R. 10791, Alvas F. Ritter; H. R. 10814, Harvey L. Williams; H. R. 10815, Simeon H. Johnston; H. R. 10816, La Barron T. Marshall; H. R. 10865, Charles S. Kinman; H. R. 10894, William H. Fish; H. R. 10927, Walter Barbo; H. R. 10944, Edward C. Crawford; H. R. 10949, Joseph Phillips; H. R. 10956, Charles A. Heiland; H. R. 10982, Leonidas Duncan; H. R. 10995, Joseph Dole; H. R. 11007, Mary M. Newman; H. R. 11043, Mary Brown; H. R. 11062, Hector H. Bryant; H. R. 11073, Charles Knight; H. R. 11095, Theresaa Brisbois; H. R. 11138, John E. Collins; H. R. 11167, Charles Grunert; H. R. 11171, Hugh O. Neville; H. R. 11184, Samuel G. Dinsmore; H. R. 11242, George A. Cooper; H. R. 11287, Charles A. Rogers; H. R. 11415, Mary Stewart.

The other amendments in which the House receded from its disagreements are the two cases of Emma R. Foster (H. R. 9544) and Charles H. Heimlich, alias Charles H. Henderson (H. R. 9852), which were stricken out by the Senate, but after due consideration by the conferees were allowed to remain in the bill at a different rate as provided for when the bill passed the House. In the case of May A. Sanders (H. R. 10295) the same was restored to the bill by the conferees as it passed the House, but with change of provision providing for the payment of \$2 per month additional to the minor children.

The Senate recedes from its amendments striking out the following cases:

No. 8. George W. Doney (H. R. 693), believing from the testimony shown that the rate allowed is warranted under the circumstances as set forth in the report.

No. 9. Julius A. Fuhrman (H. R. 763). It is believed that, giving the claimant the benefit of the doubt, a pension of \$12 a month is warranted by the evidence shown in the report.

No. 12. David Dixon (H. R. 1808). Further evidence submitted to your conferees to the effect that this man is now almost totally helpless, requiring the aid and attendance of another person, warrants the increase.

No. 14. Jonas Bolen, alias James Bolen (H. R. 2759). This man served in the zone of Indian hostilities and took part in numerous engagements with Indians at different times, and while he may possibly not have served the 30 days required by law, yet his service for five years was connected with the Indian disturbances.

No. 16. Edward Gaines (H. R. 2764). This man was in the Regular Army and served in numerous Indian engagements. In conformity to practice in other cases, it is believed a pension of \$20 a month is warranted.

No. 39. Charles H. Ricker (H. R. 5367). It is believed in this case that while the soldier might possibly secure relief by filing claim at the bureau, there might be some question, and his deplorable condition warrants the rate allowed.

No. 66. Charles A. Bills (H. R. 7853). The aged and helpless condition of this man and the fact that he served in the zone of Indian warfare, it is believed, warrants the granting of increase allowed in this case.

No. 67. Jacob Lyons (H. R. 7896). Additional evidence filed since the bill passed the Senate shows the man to be in an almost helpless condition at the present time, and it is believed that the Senate should recede and allow the \$20 provided.

No. 71. John Kerns (H. R. 8135). Since the bill passed the House evidence has been filed showing the man to be almost blind, and in view of his age and helpless condition it is believed he should have the pension of \$20 provided.

No. 76. Jerry Fitzpatrick (H. R. 9071). This man is now entirely helpless, requiring aid and attendance of another person, and it is believed that the increase to \$30 is warranted.

No. 80. Walker Anderson (H. R. 9427). This man was discharged for disability incurred in the service in Indian wars, and if he had reached the age of 62 he could get \$20 per month at the Pension Bureau. It is believed the committee is justified in waiving the few years in the age requirement.

No. 85. Nancy G. West (H. R. 9599). On account of the extreme age and present almost helpless condition of this nurse it is believed the amount of \$12 should be allowed.

No. 87. Clara J. Sittou (H. R. 9658). In this case the service of the soldier was recognized by Congress and he was granted the pension allowed other Mexican War veterans, and it is believed similar recognition should be given his widow.

No. 91. Johanna Murphy (H. R. 9681). Giving the beneficiary the benefit of the doubt, it is believed that the pension of \$12 per month, which she could have received had she been able to prove the death of her husband due to service, is warranted.

No. 96. James D. Smith, alias James Smith (H. R. 9829). The greater part of the soldier's service was in the zone of hostilities with Indians, and your committee believe they are justified in recommending he be given the rate allowed others who served in similar capacity.

No. 97. Thomas E. Sutton, alias Birt Sutton (H. R. 9842). This soldier is now helpless, and it is believed that the increase provided is warranted.

No. 101. Minnie Nordyke (H. R. 9892). The conferees are advised that the beneficiary is now in an almost helpless condition, and while Congress only recently gave her a pension of \$12 per month the increase to \$20 is recommended.

No. 111. Edith Payne Trimm (H. R. 10015). On account of helpless child in this case and the fact that part of her income comes from a church bounty fund, the committee recommend the allowance of \$12, the amount provided for in the bill.

No. 140. Margaret Huling (H. R. 10392). After due consideration it is believed that the strict rule as to actual service should not be enforced, and therefore it is recommended that the usual widow's pension be allowed in this case.

No. 151. Louise Shoat (H. R. 10569). In this case there is an invalid daughter to be taken care of, and it is believed that the rate of \$20 is warranted.

No. 152. Rhoda M. Gates (H. R. 10577). In this case she forfeited her pension by remarriage, which was shortly afterwards terminated on her own motion, and your committee recommend that she be granted the pension she would have received had it not been for her unfortunate marriage of short duration.

No. 156. Christopher L. Einkopf (H. R. 10633). The soldier served almost wholly in the Indian country and he was engaged in several Indian battles. On account of his extreme age it is believed that the \$20 allowed is warranted.

No. 172. Horace B. Case (H. R. 10910). The man is now totally blind, and it is believed the increase is warranted.

No. 192. Susana Raines (H. R. 11285). Since the passage of the bill evidence has been filed showing that claimant is almost helpless from rheumatism and also the soldier was her main support. It is believed that the \$12 recommended is warranted.

No. 194. Lewis W. Taft (H. R. 11288). Soldier is now totally helpless and bedridden, and the increase is believed justified.

No. 196. Guy Robison (H. R. 11374). It is believed that report will show that part of his disability at least was due to service and it is believed the amount of \$17 per month is justified.

No. 197. Lucy E. Blue (H. R. 11402). The beneficiary is aged and destitute and, giving her the benefit of the doubt as to death of son being due to service, the \$12 provided for in the bill is believed to be warranted.

SAM R. SELLS,  
EDGAR R. KIESS,

*Managers on the part of the House.*

Mr. GARRETT. Mr. Speaker, may I ask the gentleman from Tennessee whether any of these conference reports has any legislation in it?

Mr. SELLS. None whatever.

#### EXTENSION OF REMARKS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing the address of the senior Senator from Massachusetts [Mr. LONGE] delivered at the three hundredth anniversary of the landing of the Pilgrims at Plymouth, December 21 last. The Senator from Massachusetts is the chairman of the United States Tercentenary Commission and it is for that reason that I make the request.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, has there been any printing of this address on the other side of the Capitol?

Mr. WALSH. There has not been, and I do not think it will be arranged for over there.

The SPEAKER. Is there objection?

There was no objection.

#### ELIZABETH R. MORSE.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts I present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

#### House resolution 618.

*Resolved*, That there shall be paid, out of the contingent fund of the House, to Elizabeth R. Morse, widow of Bryan H. Morse, late an employee of the House of Representatives, a sum equal to six months of his compensation as such employee, and an additional amount not exceeding \$250 to defray the expenses of the funeral of said Bryan H. Morse.

Mr. IRELAND. Mr. Speaker, this is the usual resolution passed on behalf of the widow of a deceased employee. Mr. Morse had been in the employ of the House since 1885 and died on December 5 last.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### REV. HENRY N. COUDEN, D. D.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts I present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

#### House resolution 631.

*Resolved*, That immediately following his resignation as Chaplain of the House of Representatives, Henry N. Couden be, and he is hereby, appointed Chaplain emeritus of the House of Representatives, with salary at the rate of \$1,500 per annum, payable monthly, to be paid out of the contingent fund of the House until otherwise provided by law.

Mr. GARRETT. Mr. Speaker, did the gentleman present that as a privileged resolution?

Mr. IRELAND. Yes.

Mr. MANN of Illinois. It is privileged.

Mr. IRELAND. It involves a payment out of the contingent fund of the House.

Mr. GARNER. It makes a permanent charge.

Mr. GARRETT. I am not going to oppose the resolution, but the matter of privilege is—

Mr. MANN of Illinois. It is clearly privileged. It is like all resolutions for the appointment of House employees to be paid out of the contingent fund of the House.

Mr. GARRETT. Does it just provide for the remainder of this Congress or does it reach over?

Mr. MANN of Illinois. Of course, the effect of it would reach over, if Congress makes an appropriation, which I apprehend it will.



Mr. IRELAND. In all probability it will be taken up by the Committee on Appropriations henceforth.

Mr. GARRETT. I wish the gentleman would ask unanimous consent for its present consideration.

Mr. MANN of Illinois. It is clearly privileged, although I have no objection to that course being taken.

Mr. CAMPBELL of Kansas. Mr. Speaker, as I understood the reading of the resolution, it provides for the creation of a new office, that of chaplain emeritus of the House of Representatives.

Mr. MANN of Illinois. It is like all of the resolutions for the special employees of the House. They are provided for under resolutions of this sort.

Mr. IRELAND. Admitting that to be true, would it not still be privileged? It is our opinion that it is.

Mr. GARRETT. I have not looked into that with any great care to determine whether it is privileged or not. I do not want any precedent set here. There is no objection to unanimous consent, as far as I am concerned.

Mr. IRELAND. I am willing to ask unanimous consent, if the gentleman prefers.

Mr. GARRETT. I wish the gentleman would. It really would make the act appear more gracious anyway.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, and I shall not object, I rise for the purpose of saying that it is not so very often that we are called upon to send many documents of one particular kind out of Washington to constituents in our own districts. We are called upon to respond to very few cases respecting one kind, while we do send a number of various kinds, but with respect to our Chaplain I want to say that I have had more calls from my district, from preachers and other people, for copies of his prayers—

Mr. GALLIVAN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Massachusetts demands the regular order. Is there objection to the request of the gentleman from Illinois?

Mr. BLANTON. I ask unanimous consent to ask the gentleman a question.

The SPEAKER. The regular order has been demanded, which prohibits that, of course.

Mr. BLANTON. I want to ask a question with respect to the reprinting of these prayers.

The SPEAKER. After the consent is given the gentleman from Illinois [Mr. IRELAND] will have the floor. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. IRELAND rose.

Mr. GARNER. Mr. Speaker, before the gentleman from Illinois begins, if he has the data I wish he would put it into the Record to show just what Dr. Couden is receiving from the Government, or will receive if this resolution should pass, in addition to what it will carry.

Mr. IRELAND. I shall ask unanimous consent to extend my remarks in the Record and prepare that data.

Mr. MANN of Illinois. Dr. Couden receives a pension of \$100 a month.

Mr. GARNER. And this will give him \$225 a month?

Mr. MANN of Illinois. One hundred and twenty-five dollars a month additional, the same as he is receiving now.

Mr. GARNER. That record ought to show just how much he is getting from the Government.

Mr. IRELAND. Is that satisfactory?

Mr. BLANTON. Will the gentleman yield for a question?

Mr. IRELAND. Certainly.

Mr. BLANTON. May I ask the gentleman whether or not any steps have been taken to have additional copies printed of the prayers which have been delivered by the Chaplain in the House? In other words, my supply is exhausted. I have demands for them frequently. Does not the gentleman think the matter is of sufficient merit and worth while to have additional copies printed?

Mr. IRELAND. Quite so.

Mr. MANN of Illinois. That would come through the Committee on Printing. I suggest to my friend to introduce a resolution.

Mr. BLANTON. There has already been a resolution introduced by my friend here, and pending for months and no action taken on it. That is the reason I was inquiring.

Mr. IRELAND. I do not want to impose upon the time of the Committee on Appropriations; therefore I refuse to yield further. [Cries of "Vote!"] I may state that the much-abused important

Committee on Accounts, to whom is directed much overconsiderate attention and penny-wise and pound-foolish criticism, finds itself in unanimous happy accord in presenting this resolution to the House. Dr. Couden has served the House of Representatives for something over 25 years, and I am now told desires retirement. Mr. Speaker, I ask for the adoption of the resolution.

The question was taken, and the resolution was agreed to.

#### SUNDRY CIVIL BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15422, the sundry civil bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15422, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15422, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to return to page 31, line 19. An amendment was adopted with regard to employees' compensation fund.

The CHAIRMAN. When the House rose there was an amendment pending. Does the gentleman desire to return before that is disposed of?

Mr. GOOD. No; I had overlooked that.

The CHAIRMAN. The Clerk will report the pending amendment.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 117, line 23, after the word "cases," insert "including \$200,000 for assistant attorneys to enforce the national prohibition act."

Mr. GALLIVAN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair will state that debate upon this amendment is exhausted. The question had been put, the point of no quorum was raised, and the committee rose.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to address the committee for two minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to address the committee for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GALLIVAN. Mr. Chairman, I simply desire to call the attention of the members of the committee who were not present when this amendment was under discussion last night that the only argument made in my hearing for the adoption of the amendment was made by the gentleman from Texas [Mr. BLANTON], who stated that he was well aware that every drug store in his State held prescriptions on file from doctors who were not present in person when these prescriptions were handed out; that the casual customer could go and buy what he wanted if he secured one of these prescriptions. Such conditions do not prevail in Massachusetts, may I add—

Mr. BLANTON. Oh, no; I did not go that far in my statement.

Mr. GALLIVAN. Furthermore, the chairman of the committee, in my judgment, has gone back on his bill in accepting this amendment. I simply wanted that to go in the Record; that is the real reason I have asked for this short two minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. GALLIVAN) there were—ayes 51, noes 11.

Mr. GALLIVAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seven Members are present, a quorum.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to page 31, line 19. Is there objection?

Mr. BLANTON. May I ask for what purpose?

Mr. GOOD. I ask to reconsider the motion to strike out certain language. At the time there seemed to be no objection, but since that time the department has called my attention to the fact that when the bill providing for compensation to injured

Government employees was being considered by the Judiciary Committee point was made of the fact that the money would have to remain available or otherwise it would cost a great deal more to administer the law.

Mr. BLANTON. The gentleman is not going to add any more appropriation or any more legislation?

Mr. GOOD. No; but I understand it would save a great deal in the administration of the law to make the appropriation in accordance with law.

The CHAIRMAN. Is there objection to returning to page 31, line 19?

Mr. GARD. What is the amendment the gentleman desires?

Mr. GOOD. I ask to reconsider an amendment which was offered on page 31, line 19, which reads as follows:

To remain available until expended.

Those words were stricken out. The law provides that the appropriations made for making payment of compensation to Federal employees who are injured shall remain available until expended. Not only appropriations carried in the original act but all other appropriations. They state that the making of appropriations for the fiscal year will add very greatly to their work and make the administration of the law very difficult in keeping track of persons injured, and that matter, as I understand, at the hearings before the Committee on the Judiciary, was fully gone into when the law was passed, and for that reason I ask that the language be restored.

Mr. MANN of Illinois. I offered the amendment—

The CHAIRMAN. The gentleman from Iowa asks unanimous consent—

Mr. MANN of Illinois (continuing). And I suggest, instead of asking to reconsider, the gentleman ask to reinsert the language that was stricken out by the amendment.

Mr. GOOD. Mr. Chairman, I so modify my request.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to reinsert certain language in line 19, page 31, previously stricken out by way of amendment, which language the Clerk will report.

The Clerk read as follows:

Page 31, line 19, reinsert the language stricken out, as follows: "to remain available until expended."

The CHAIRMAN. Is there objection to the reinsertion of that language? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For salaries of clerks of United States district courts, their deputies, and other assistants, expenses of travel and subsistence, and other expenses of conducting their respective offices, in accordance with the provisions of the act approved February 26, 1919, \$1,050,000: *Provided*, That provisions of the act entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes," approved February 26, 1919, shall be applicable on and after July 1, 1921, to the clerk of the Supreme Court of the District of Columbia, excepting that said clerk shall be appointed as heretofore by said court in general term, and to the clerks of the district courts of the United States for Hawaii and Porto Rico: *Provided further*, That no clerk or deputy clerk or assistant in the office of the clerk of a United States district court shall receive any compensation or emoluments through any office or position to which he may be appointed by the court, other than that received as such clerk, deputy clerk, or assistant, whether from the United States or from private litigants.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph in order to inquire whether the change in the provision in reference to the appointment of the clerk to the Supreme Court of the District of Columbia, carried in the current law, by the chief justice to appointment by the general term is a change desired by the court?

Mr. GOOD. Yes; Chief Justice McCoy called attention to the fact that by the provisions of the current law the clerk was to be appointed by the chief justice, when the law provided that he should be appointed by the court, and he felt that it might look that he had asked for a change in the law. He did not desire to appoint in violation of the law, and this is to conform with the law.

Mr. MANN of Illinois. I withdraw the point of order.

Mr. GARD. Further reserving the point of order, the first proviso, beginning on line 9 and following, I was unable to understand, and therefore beg the indulgence of the gentleman who is chairman of the committee to ask just what difference this makes in the appointment of clerks in the Supreme Court of the District of Columbia?

Mr. GOOD. In the District of Columbia?

Mr. GARD. Yes.

Mr. GOOD. The last sundry civil bill provided that the clerk in the Supreme Court of the District of Columbia should be appointed by the chief justice of that court, while the general law provides that the clerk should be appointed by the court. Justice McCoy called attention to the fact that he did not as chief

justice ask for that change in the law, and suggested that in this bill we provide for the appointment so as to conform with the provisions of the law, which we have done.

Mr. GARD. That is, appointment by the court?

Mr. GOOD. By the court instead of by the chief justice.

Mr. GARD. In general term?

Mr. GOOD. Yes. It will include the entire court as having a voice in the selection.

Mr. GARD. I withdraw my reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For fees of jurors, \$1,150,000.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 119, line 4, after the word "jurors," strike out the figures "\$1,150,000" and insert in lieu thereof the following: "\$575,000: *Provided*, That hereafter until otherwise provided by law all petit juries for the trial of cases in the district courts of the United States, in both civil and criminal matters, shall be composed of 6 instead of 12 persons, as now provided by law, and the jury panels and the number of peremptory challenges which each party is entitled to in any criminal or civil case is hereby reduced by one-half the number now provided, except that in all cases in which the United States is a party the United States shall be entitled to three peremptory challenges."

The CHAIRMAN. The gentleman from Texas offers an amendment reducing the amount appropriated for fees of jurors, by inserting a smaller amount, and couples with it a proviso changing permanent law with reference to the number of jurors who shall hereafter constitute a petit jury, and also providing that the panel shall be reduced one-half, and other changes.

The Chair assumes that the gentleman from Texas contends that under the so-called Holman rule the amendment is in order.

The Chair finds that a somewhat similar question arose on January 16, 1912, when the Chairman of the Committee of the Whole, the gentleman from Tennessee [Mr. GARRETT], ruled as follows:

The Chair is of opinion that the Committee on Appropriations may not, under the rule, bring in as an integral part of an appropriation bill substantive legislation that, if introduced in the ordinary way in the House—that is, by bill or joint resolution presented by a Member—would go to another standing committee of the House for consideration and action; nor does the Chair think that any Member of the House may offer from his place on the floor any amendment carrying such substantive legislation, even though that legislation would re-trench expenditures, unless that Member offer it as the report of a committee or as a member of a joint commission which would have jurisdiction of the subject matter under the rules of the House.

This amendment clearly reduces expenditures in this bill, but it provides for a very important change in the substantive law, which does not appear to be germane to the paragraph under consideration—that is, it seeks to amend existing law, and, furthermore, would seem to involve a proposition which the Committee on Appropriations might not itself have reported, nor the gentleman from Texas have offered, unless authorized by a committee. The Chair therefore feels constrained to sustain the point of order.

Mr. JONES of Texas. I desire to ask a question for information. If the matter applied simply to the current fiscal year, that rule would not apply, as I understand it. I am familiar with the precedent cited by the Chair, but that was where it was permanent legislation, was it not?

The CHAIRMAN. The gentleman's amendment proposes permanent legislation.

Mr. JONES of Texas. I am going to offer one not in that form.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 119, line 4, after the word "jurors," strike out the figures "\$1,150,000" and insert in lieu thereof the following: "\$575,000: *Provided*, That for the current fiscal year all petit juries for the trial of cases in the district courts of the United States in civil matters shall be composed of 6 instead of 12 persons, as now provided by law, and the jury panels and the number of peremptory challenges which each party is entitled to in any civil case is hereby reduced by one-half the number now provided."

Mr. GOOD. I make the point of order that the amendment proposes legislation on an appropriation bill, and is not authorized by law.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. JONES of Texas. As I understand the decision of the Chair and the precedents in matters of this kind, it is not legitimate to offer as an amendment a provision, even though it retrenches expenditures, which makes a change in the per-



manent law or makes a permanent change in the law; but that where it does retrench expenditures it may be offered as applying simply to the appropriation in question. Now, as I understand, this appropriation is for the current fiscal year. The amendment which I have now offered is limited in its application to the current fiscal year; in other words, is limited to this appropriation and to the disbursement of the very fund that is provided in this paragraph.

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. JONES of Texas. Yes.

Mr. BARKLEY. I understand the rule to be that if the amendment changes existing law, it is not germane and not permissible. Would not the gentleman think his amendment limiting juries to six during the current year changes the existing law, which provides that they shall for the current year and all other years consist of twelve?

Mr. JONES of Texas. My amendment does not provide for all other years, but simply for the current fiscal year.

Mr. BARKLEY. I understand that.

Mr. JONES of Texas. As far as the question of germaneness is concerned, the question of whether it changes existing law or otherwise does not affect that question. Even though it should change existing law, it is germane to the paragraph and to the appropriation, for it is directed to the specific point and purpose mentioned in the appropriation.

Mr. BARKLEY. It does change existing law, does it not?

Mr. JONES of Texas. It is perfectly proper under the Holman rule to change existing law, as I understand it, if you reduce or curtail expenditures. In fact, that is the very object and purpose of the Holman rule, and that is what the rule consists of. In other words, the Holman rule—

Mr. GOOD. Does the gentleman think the Committee on Appropriations would have had jurisdiction of this, and could have offered it as a matter of substantive law and have escaped the point of order?

Mr. JONES of Texas. No; I do not think they could have done that, but that proposition applies to permanent legislation, or to legislation which is not specifically limited to the particular appropriation.

Mr. GOOD. Yes; but the decision of Mr. GARRETT when he occupied the chair, which decision has been read by the present Chairman, was bottomed upon that very principle.

Mr. JONES of Texas. No; it was permanent legislation that was offered. He may have mentioned that in the course of his remarks, but that was not the point involved in the decision. The point involved in the decision and the burden of it was that it was changing existing law and making permanent legislation. He might have made some such remark in the course of his decision, but that was not necessary to the decision and was not the point at issue.

Mr. GOOD. It was the only point in the decision.

Mr. JONES of Texas. No; that is what we call obiter dicta in the law, and it does not affect the decision in any way.

The CHAIRMAN. The Chair has examined the amendment offered, and while it does reduce expenditures and provide for legislation to make effectual the reduction of expenditures, it also embraces other legislation, which is a change of existing law, and it is not germane to the paragraph inasmuch as it affects the number of preemptory challenges to which the Government is entitled. The Chair, therefore, sustains the point of order.

The Clerk read as follows:

For bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York and the northern district of Illinois: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *Provided further*, That no such person shall be employed during vacation; expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Porto Rico, and Hawaii, as provided by section 259 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, Title II, of the act of June 6, 1900; and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$240,000.

Mr. GARD. Mr. Chairman, I move to amend, on page 119, line 13, by striking out the figures "715" and inserting in lieu thereof the figures "765." I do that because I think there has been a possible error. I have verified the number of the section from the Revised Statutes. Section 765 seems to be the one that is meant.

Mr. GOOD. I assume that if the gentleman has looked it up he is right about it.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 119, line 13, strike out the figures "715" and insert in lieu thereof the figures "765."

Mr. MANN of Illinois. Mr. Chairman, I heard the amendment to change the number of the section of the Revised Statutes with reference to the employment of persons to serve in the Federal courts, but I did not hear the explanation for the amendment. Section 715 is the number of the section now in the current law. Whether that was an error or not I do not know, but people are being paid under the appropriation made under that number. I think we ought to know whether we are changing it here so that they will not be paid.

Mr. GARD. I have before me Barnes's Federal Code, which I hold in my hand, the revised code, and it designates section 765 as being the section which authorizes the employment of deputy clerks who may be assigned as bailiffs. I may be in error about it.

Mr. MANN of Illinois. I do not know. There is a copy of the Revised Statutes at hand.

Mr. GOOD. Mr. Chairman, I will say to the gentleman that section 715 of the Revised Statutes reads as follows:

Circuit and district courts may appoint criers for their courts, to be allowed the sum of \$2 per day, and marshals may appoint such number of persons not exceeding five—

And so forth.

Mr. GARD. If that is the proper section, then my amendment is not necessary, and I ask unanimous consent to withdraw it.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

For such miscellaneous expenses as may be authorized by the Attorney General, for the United States courts and their officers, including so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska, and in courts other than Federal courts, \$550,000.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the paragraph. Why should this appropriation now provide for the payment of miscellaneous expenses in courts other than the United States courts?

Mr. GOOD. The committee went into that matter at the hearings, and Mr. Kennard, of the department, said that frequently cases in which the United States are involved are instituted in State courts, and that although they are subsequently removed to Federal courts the expenses already incurred must be paid to the officials of the State courts. He was asked out of what fund they were paid, and he replied that they were paid out of this fund, but only after it had been fixed by the Federal court and approved by the President. They are doing this now. They are paying the expenses when a case is remanded from the State court.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the reservation of the point of order.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 237. Joint resolution to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 4, 1921.

#### SUNDRY CIVIL APPROPRIATIONS.

The committee resumed its session.

The Clerk read as follows:

LIGHTHOUSES, BEACONS, FOG SIGNALS, LIGHT VESSELS, AND OTHER WORKS UNDER THE LIGHTHOUSE SERVICE.

Lighthouse vessels, general service: Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$1,000,000.

Mr. BRIGGS rose.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the paragraph. I believe it is subject to the point of order. What is the reason for now bringing in a lump sum of \$1,000,000 for constructing lighthouse vessels which have not been authorized by law?

Mr. GOOD. A great many vessels have been authorized by law for which we have made no appropriation.

Mr. MANN of Illinois. An appropriation to construct vessels which have been authorized by law would be in order.

Mr. GOOD. Yes.

Mr. MANN of Illinois. This appropriation would not have to be used for that purpose at all. This has nothing to do with vessels heretofore authorized by law.

Mr. GOOD. Oh, yes; it has. The estimate was made for \$5,000,000 to construct vessels that have been authorized by law.

Mr. MANN of Illinois. Very well, and if that was the way the appropriation reads it would be in order and it would have to be used for that purpose, but there is no such limitation in this appropriation. This is for constructing lighthouse vessels, absolutely regardless of any which have heretofore been authorized by law. An appropriation would then be in order to construct those which have been authorized by law.

Mr. GOOD. My understanding is that this is the same form in which appropriations have always been carried for lighthouse vessels when more than one was carried in the bill.

Mr. MANN of Illinois. The gentleman's understanding may be correct. I have watched the subject of lighthouse vessels very closely, and I think the gentleman is in error.

Mr. GOOD. The estimate was made for the construction or purchase and equipping of lighthouse tenders and light vessels of the Lighthouse Service, \$5,000,000.

Mr. MANN of Illinois. But that is the estimate. The Lighthouse Service asks for from five to fifteen million almost any time for anything. They used to think that they were niggardly if they asked for anything less than \$15,000,000 for new light-houses—until I got hold of them. I told them that we would not report anything unless they themselves scanned their own estimates.

Mr. GOOD. If the gentleman wants the date of the acts when vessels have been authorized that have not been built, I can give him those dates.

Mr. MANN of Illinois. If we are going to make an appropriation for lighthouse vessels, I want it so that it is confined to those vessels which have been authorized, so that the lighthouse board may not then construct vessels not authorized by law, and afterwards come in and ask for an appropriation for those which have been authorized.

Mr. GOOD. Of course, I can put the provision as authorized by law. I have no objection to that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I do not believe the item is subject to the point of order.

The CHAIRMAN. The point of order has not been made.

Mr. MANN of Illinois. I will make the point of order, and we will let the Chair rule upon it.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. MANN of Illinois. The point of order is that this appropriation is not authorized by law. There is no limitation here. It is an appropriation "for constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$1,000,000." If the appropriation be made in that way, it is an authorization for the expenditure of \$1,000,000 for the purchase or construction and equipment of lighthouse tenders and vessels. It does not refer in any way whatever that this appropriation shall be for vessels heretofore authorized. Of course, if the gentleman wants to offer an amendment providing an appropriation for vessels authorized that is one thing, but that is not this. This is an authorization for new vessels to the extent of \$1,000,000.

Mr. GOOD. The appropriation is to carry out in part the provisions of an act approved June 5, 1920, which authorized the construction of this kind of craft. There is only one-fifth of the amount here authorized. The committee did not think it was necessary here to give the date of the authorization, inasmuch as it was for a work that was authorized by law.

Mr. MANN of Illinois. Well, the gentleman, I think, confuses the intent of the committee with the language of the committee. The accounting officers know nothing about the intent of the committee except as it is expressed. This language is not for the purpose of carrying out anything that has been authorized by law, but it is a clean new appropriation, and the officers must take it as it reads, without regard to what the intent might have been in the minds of the committee, which is not expressed in the language.

Now, we have been very careful in the past about authorization for revenue cutters, lighthouse tenders, which authorization came from the Committee on Interstate and Foreign Commerce and the appropriations therefor coming from the Committee on Appropriations. Here is no limitation as to what has been authorized.

Mr. GOOD. Of course, the limitation has been found in the act of June 5, 1920, and that, as I recall, has a limitation of

\$5,000,000 for this construction; at least that was the impression we gained from the hearings.

Mr. MANN of Illinois. The fact is, formerly when the Committee on Interstate and Foreign Commerce was not so very active in following its jurisdiction, it was the custom whenever they wanted a new lighthouse tender or a new revenue cutter to get an item inserted in the Senate and agreed to in conference, without regard to any authorization of law. This follows that same old practice, except here the committee comes in with an original item in a bill in the House without being limited in the authorization.

Mr. GOOD. There are a great many of these vessels, and it is impossible for the committee to tell which one of the vessels authorized by Congress is in the poorest state of repair or where the greatest need lies. It seems to the committee there was a question of administration. They claimed it was necessary to have four new ones.

Mr. MANN of Illinois. This is not for the repair of vessels.

Mr. GOOD. It is to replace.

Mr. MANN of Illinois. This is for new vessels.

Mr. GOOD. Certainly; this is to replace obsolete vessels.

Mr. MANN of Illinois. You do not have to specify what vessels are to be replaced.

Mr. GOOD. No; you have to specify where the vessels are to be stationed; if it is a light vessel or a lightship. We did it last year down at Cape Hatteras.

The CHAIRMAN. The Chair is ready to rule. The Chair will state that on June 5, 1920, the House passed an act to authorize aids to navigation and other work of the Lighthouse Service. It carried an authorization "for constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$5,000,000." Then, there was a proviso that the Secretary of War and the Secretary of the Navy and the Shipping Board shall report to the Secretary of Commerce such vessels as they might have which they were willing to dispose of, and which, with reasonable alteration, could be restored and utilized for the purpose of the Lighthouse Service in the Department of Commerce, and the sum authorized shall be available for such repairs and reduced by the sum saved by the use of such vessels. The language of the paragraph to which the gentleman from Illinois makes the point of order is a new authorization, apparently. It is not confined to the authorization contained in the provisions of the previous act, nor does it refer to it in any way. In the view of the Chair it permits the expenditure of this \$1,000,000 for the construction, equipment, or purchase of lighthouse tenders outside of the authorization contained in the act of June 5, 1920, and the Chair sustains the point of order.

Mr. GOOD. Mr. Chairman, I offer an amendment as follows: At the end of line 3, page 127, insert: "Lighthouse vessels, general service: Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$1,000,000, as authorized by the act of June 5, 1920."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 127, after line 3, insert: "Lighthouse vessels, general service: Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, \$1,000,000, as authorized by the act of June 5, 1920."

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify that by putting in immediately before the figures "\$1,000,000" "as authorized by the act to authorize aids to navigation and for other work in the Lighthouse Service, and for other purposes, approved June 5, 1920, \$1,000,000."

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to modify his amendment in the manner indicated. Is there objection? [After a pause.] The Clerk will report the amendment.

The Clerk read as follows:

Page 127, after line 3, insert: "Lighthouse vessels, general service: Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, as authorized by the act entitled 'An act to authorize aids to navigation and for other works of the Lighthouse Service, and for other purposes, approved June 5, 1920, \$1,000,000.'"

The question was taken, and the amendment was agreed to.

Mr. BRIGGS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. BRIGGS: Page 127, between lines 6 and 7, insert a new paragraph, as follows:

"Improving Galveston jetty light station, Tex., including fog-signal station, \$6,500."

Mr. BRIGGS. Mr. Chairman, this item was authorized in the lighthouse bill passed at the last session of Congress. It



was then regarded as an emergency item by reason of being a very badly needed aid to navigation in Galveston Harbor. While it was then very greatly needed, it is even more needed now. The commerce through that great harbor has increased almost 100 per cent. Passing through there this year will be over 1,700 ocean vessels without fog-signal aid. It is an emergency proposition, and this is the only means of getting it. I do not understand that there will be any serious opposition from the Committee on Appropriations.

The two great rock jetties at Galveston project far out into the ocean—a distance of between 6 and 7 miles; and in times of heavy fogs, which are particularly frequent and dense in the spring and fall of each year, the vessels passing in and out of that harbor are endangered by the absence of such signal and are frequently prevented for periods of from 24 to 48 hours from sailing or entering such harbor by reason of the absence of such warning.

It may not be known to the Members of the House that the coastwise and foreign commerce through the harbor at Galveston in 1919 aggregated in value over \$888,000,000, with 695 foreign and American ships engaged in the foreign trade alone; this does not include coastwise liners between Galveston and New York, which will average between three and five hundred throughout the year, or at least more than 360 additional ships, making over 1,000 ocean-going vessels passing in and out of this harbor in the year 1919.

According to the Bureau of Foreign and Domestic Commerce, for the first 10 months of 1920, 975 American and foreign ocean-going ships, engaged in the foreign trade, passed in and out of Galveston Harbor, and, according to the custom records, 243 ships in November and December, 1920, making over 1,200 in all, being an increase of about 550 steamships over the number in the year of 1919, irrespective of the regular liner vessels in the coastwise trade heretofore referred to and which in 1920 will equal, if not exceed, 500 steamers, bringing the number of ocean-going ships using Galveston Harbor in 1920 to over 1,700 vessels.

The figures show that American steamships engaged in the foreign trade alone outnumbered foreign vessels by nearly 5 to 1. Of course, the ships engaged in the coastwise trade are all under American register.

The increase of net tonnage of vessels engaged in the foreign trade for the first 10 months of 1920 exceeds by 793,098 tons the net tonnage of the vessels engaged in such trade for 1919, the total net tonnage in foreign trade for 1919 being 1,420,635 tons, while the net tonnage in the foreign trade for the first 10 months of 1920 amounts to 2,213,733 tons.

The total value of foreign exports for all of the year 1919 passing through the harbor of Galveston amounted to \$469,699,216, while such exports for the first 11 months of 1920, according to the records of the Bureau of Foreign and Domestic Commerce and customs house, already show exports amounting to \$618,318,169, with an estimate of \$61,000,000 for December, making the total value of foreign exports during 1920 the great sum of \$679,319,169, an increase over 1919 of over \$200,000,000. It will be borne in mind that the value of the coastwise commerce during the same year is not yet obtainable, but when based upon the amount of same for 1919 will undoubtedly bring the total commerce through the harbor of Galveston for 1920 up to more than \$1,000,000,000.

All the commerce of the ports of Galveston, Texas City, Houston, and Bolivar passes through these jetties to the sea. A commerce that has given Galveston again her former rank as the greatest export cotton port in the world and the second greatest export port generally in the United States; that has also developed the splendid port of Texas City so that in 1920 526 vessels were dispatched, an increase of more than double the number of ships clearing from such port over those of the year 1919, when there were only 226, the increase in tonnage being over 1,000,000 tons. Houston and Bolivar have also enjoyed great growth and are continuing along with the other two ports to even further expansion and development.

These figures will, therefore, give you some idea of the importance and value to the whole country of this great channel and the immediate emergency need for the establishment at the light station on the end of the south jetty at Galveston, without delay, of this compressed-air fog signal to protect the great number of ocean-going ships, with their commerce, constantly entering and clearing through Galveston Harbor. Unless this amendment is adopted the money can not be obtained and the signal constructed.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas [Mr. Briggs].

The question was taken, and the amendment was agreed to.

Mr. BRIGGS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, \$75,000.

Mr. HICKS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the Committee on Appropriations if under this item, which I presume it does, comes the experimental work now being carried on by the Department of Commerce in regard to the electrical buoying of channels by cables? What I mean by that is this: The chairman undoubtedly knows that in Ambrose Channel, leading into New York Harbor, there has been installed a sound-emitting device, consisting of an electrically charged cable lying at the bottom of that channel. This cable sends out signals at stated intervals, which are caught by a wireless apparatus on shipboard, so that a vessel can enter the port of New York in the thickest fog or in a blinding snowstorm, without depending on light or sound signals of any kind, by taking its bearings by a listening-in device installed on the bridge, by which the pilot can keep the vessel directly over the cable at the bottom of the channel, and so make all the turns without seeing a buoy or consulting a compass. I understand they are contemplating the installation of the same device through Long Island Sound and are also considering laying down the system in Boston Harbor and in Philadelphia Harbor and in other great harbors. Installing this device means much to the navigation of those important channels, and is, of course, costly. Does this appropriation take care of a matter of this kind?

Mr. GOOD. Not the item that was just read by the Clerk. That is the item for retired pay.

Mr. HICKS. I mean the whole section.

Mr. GOOD. Yes; the Lighthouse Service has an appropriation of \$4,200,000 that is available for doing work of that kind, but my understanding is that it is the policy of that service, where the expenditure is a large item, they do not feel that they can take their appropriation and make an expenditure out of it, but they usually come and ask for it as a separate item. Now, as to the item in regard to Galveston Harbor that just went in, when the committee refused to give that item, both last year and this year, there was some objection on the part of the Lighthouse Service that we had perhaps subjected navigation in the harbor to unusual chances and it might mean the loss of vessels and probably of human life unless something was done. And they said they could not take an item as large as that out of the general appropriation.

Mr. HICKS. I understand from the gentleman from Iowa that if the Department of Commerce wants to install this new listening device for the purpose of navigation of a channel, costing, of course, many thousands of dollars, they have to come before the Appropriations Committee and get a specific appropriation? They can not take it out of this item?

Mr. GOOD. If it costs more than \$10,000, they will have to do that, because that is the limitation of law.

Mr. HICKS. That is the answer.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Commissioner's office: Commissioner, \$6,000; deputy commissioner, \$3,500; assistants in charge of divisions—fish culture \$2,700, inquiry respecting food fishes \$2,700, fishery industries \$2,500; assistants—1 in charge of office \$2,500, 1 \$2,500, 1 \$2,400, 1 for developing fisheries and for saving and use of fishery products \$2,400, 1 \$2,220, 1 for fishery food laboratory \$2,000, 1 \$2,000, 1 \$1,800, 1 \$1,600, 2 at \$1,200 each; fish pathologist, \$2,500; architect and engineer, \$2,200; assistant architect, \$1,600; draftsman, \$1,200; accountant, \$2,100; librarian, \$1,500; superintendent of fish distribution, \$1,600; clerks—4 of class 4, 6 of class 3, 1 to commissioner \$1,600, 7 of class 2, 12 of class 1, 2 at \$900 each (including 1 for Seattle office); statistical agents—1 \$1,600, 2 at \$1,400 each, 2 at \$1,000 each; local agents—1 at Boston \$600, 1 at Gloucester \$600, 1 at Seattle \$600; engineer, \$1,080; 3 firemen, at \$720 each; 2 watchmen, at \$720 each; 5 janitors and messengers, at \$720 each; janitress, \$480; messenger boy, \$360; 5 charwomen, at \$240 each; in all, \$114,840.

Mr. RAKER. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 137, line 4: After the end of line 4, on page 137, insert the following as a new paragraph: "For the conduct of demonstrations and imparting of instruction in correct, cheap, and wholesome methods of preparing and cooking fish, including the payment of salaries and traveling expenses and the purchase of materials and supplies, \$15,000."

Mr. GOOD. Mr. Chairman, I make a point of order on that.

Mr. RAKER. Will the gentleman reserve it a moment?

Mr. GOOD. I will reserve it.

Mr. RAKER. I desire to offer the following amendment, so that the two may be considered together. The latter is on the same subject.

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. RAKER. I ask unanimous consent that this latter amendment may be read and the two considered together.

The CHAIRMAN. Is there objection?

Mr. GOOD. I have no objection, but a point of order will be reserved as to both.

The CHAIRMAN. The Clerk will report the second amendment offered by the gentleman from California [Mr. RAKER].

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 137, line 4, after the end of line 4, on page 137, insert the following as a new paragraph:

"For the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, including the payment of salaries and traveling expenses and the purchase of material and supplies, \$10,000."

Mr. GOOD. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. Is the last amendment for the information of the House?

Mr. RAKER. Yes. The two go together. I just want to say this on the question of a point of order, and then I want to discuss the merits for a moment. I believe that they are in order under the law creating the Bureau of Fisheries. It is not as clear as it might be, but still it is in the same line as the law creating the work that the bureau has been doing. It conserves fish life, and, in addition to that, it provides for its use. Now, if you can get the proper use by getting less fish, you necessarily conserve fish life. So, to my mind, it is in order. But I will not take too much time on that, but will call the committee's attention to the hearings on page 1408 of volume 2.

I ask that I may insert those statements in my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to insert in his remarks certain statements. Is there objection?

There was no objection.

Following are the statements referred to:

#### FOR DEVELOPMENT, ETC., OF PACIFIC COAST FISHES.

The CHAIRMAN. Your next item is, "For the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, including the payment of salaries and traveling expenses and the purchase of materials and supplies, \$10,000."

Mr. RADCLIFFE. I made reference in my previous talk to the work we have done in regard to the canning and preserving of west coast fishes. Prior to the present fiscal year we operated a small plant at San Pedro, temporary in character, where we have tried to give the fishing industry material aid in solving the problems with which they are contending, but for which we have not adequate funds at present. The California State Fish and Game Commission, feeling that the work we had started ought to be carried on, undertook to carry that work through during the present fiscal year. We would like to take that work up again, to render the industry much needed aid. The canning industry in southern California is a tremendously large one. It has grown up very quickly, and you will find there some 50 or 60 canneries. If you go to them and study their methods, you will not find the same practices in any two of the canneries in the State. Much material has been wasted. They are having difficulty with the fry bath oil and the honey-combing of the fish. Those are problems that only trained scientific men can expect to solve. It is for this purpose of preserving and utilizing all their fishes and for the improvement of methods and standardization of methods that will yield a standard pack that we are asking this appropriation.

The CHAIRMAN. Will this be used entirely for field investigations?

Mr. RADCLIFFE. We really need it in the same way that the agriculturist would. Agriculture in each region has its own problems, and we feel that the California fisheries have certain problems which can only be solved there. We can do certain work here in Washington, but a good deal of the work has to be done upon the scene of the operations of an industry of this kind. We may want to continue this work for some time.

The CHAIRMAN. You would have to continue it for more than a year in order to get results, would you not?

Mr. RADCLIFFE. Yes, sir. Certain problems would be completed in a year, and others initiated but not completed.

#### FOR DEMONSTRATIONS OF METHODS OF PREPARING AND COOKING FISH.

The CHAIRMAN. Then, you are asking \$15,000 "for the conduct of demonstrations and the imparting of instruction in correct, cheap, and wholesome methods of preparing and cooking fish, including the payment of salaries and traveling expenses, and the purchase of materials and supplies."

Mr. RADCLIFFE. During the period of the war the production and consumption of fishery products received considerable encouragement from governmental and other agencies as a war measure. That resulted in the expansion of the production or taking of fishes and the facilities for preserving and marketing of fish. Even though that expansion was continued during the year 1919, we found an actual curtailment in the catch.

It is unlike the conditions in agriculture. To cite specific illustrations, in the vessel fisheries centering at Boston, Gloucester, and Port-

land, there was a reduction in the catch last year of over 9,000,000 pounds, or some 4 per cent, and a reduction of about \$3,000,000, or 28 per cent, in the price received by the fishermen. This year, during the first 10 months, there has been a further reduction of some 18,000,000 pounds, and a reduction of \$600,000 to the fishermen. Out in the Puget Sound and Alaska region, in the salmon-canning industry, the pack this year is estimated at about 5,000,000 cases, which represents a falling off of about 3,500,000 cases, as compared with 1917. In the case of the cheaper grades of salmon, such as the pink and chum, the pack amounts to about 2,500,000 cases. In the case of the New England sardine industry, the pack of sardines last year amounted to 2,250,000 cases, and it is estimated that this year it will amount to only 1,500,000 cases. We found a very similar curtailment of production in southern California in the tuna and sardine packing industry, and also on the Gulf coast in production of groupers. During this period there has been a tremendous increase in the cost of materials and labor, but at the same time there has been this curtailment in production and reduction in the prices received. The real cause seems to be underconsumption.

Since the war period, when the people were encouraged to eat more fish and save meat, there has been a decided falling off in consumption, and even in spite of the curtailment of production, the falling off in consumption has been so great that the producers are hard hit. The solution of the difficulty seems to us to be to bring back the consumption by calling the attention of housewives to the value of fish, and it is for this purpose that we are asking this \$15,000.

The CHAIRMAN. If the price of those things did not go up so abnormally, would not that do more than anything else to bring about greater consumption?

Mr. RADCLIFFE. The prices, as I tried to point out, have been reduced. The prices received by New England fisheries last year were \$3,000,000 less than they were in the previous year, and during the first 10 months of this year there has been a still further falling off of \$600,000.

Mr. BYRNS. Is that due to a reduction in the actual price or value of the fish, or is it due to the fact that there is less production?

Mr. RADCLIFFE. There has been a falling off in production. The producers have not been able to find satisfactory markets. I was in New England this year and was told that they were selling haddock off the trawlers at 1½ cents per pound. I was told that some were sold to the salteries for 1 cent per pound, and that some were sold at even as low as three-fourths of a cent per pound.

Dr. MOORE. There has been a reduction in the unit price of some of those fishes, haddock especially.

The CHAIRMAN. Has there been much reduction in the price of the retailer for the better quality of salmon and tuna fish?

Dr. MOORE. Not so very much reduction in the price of the retailer, because the consumer is asking for the more expensive kinds of fish. The consumer is not utilizing the fish that are available at low prices, like the haddock and pink and chum salmon. The whole purpose of this appropriation is to conduct demonstrations that will bring the usefulness and availability of these cheaper fishes to the attention of the consumer.

Mr. BYRNS. \$15,000 would not go very far in an extensive propaganda of that sort.

Mr. RADCLIFFE. It is surprising how far it will go. During the war period we carried such demonstrations with only one unit, and that unit reached some 15,000 housewives directly. It is surprising how fast these things travel and how fast they are passed on to their neighbors. With the Government taking hold of it, we get a tremendous amount of advertising, such as no other organization can get.

Dr. MOORE. It got the very widest publicity, so that when the demonstration team visited a city it became immediately known throughout the city. One retail dealer in St. Louis told me that immediately after the demonstrations were undertaken there his sales of fish doubled, was it not, Mr. Radcliffe?

Mr. RADCLIFFE. I think it was an increase of 25 per cent, and the increase stayed at that figure. One of the things we try to do is that our field men, when we go into these places, go around and visit the dealers and inform them that we are going to give demonstrations and take the matter of prices up with them, so that our work shall not be used as an excuse to suddenly raise prices. We are very anxious to see the prices kept at as low a level as possible.

Dr. SMITH. A very serious condition is confronting the salmon-canning industry on the Pacific coast owing to a large production of the cheap grades of salmon, which in the early days were neglected. These fish are entirely wholesome and nourishing, and their use is to be encouraged, because they relieve the drain on the better grades, and something like \$30,000,000 worth of canned salmon is now in warehouses in Seattle awaiting a market. This consists mostly of the cheaper grades, which can be put on the market at a price that will appeal to the retail consumer if he knows about the merits of the product.

Mr. VARE. The Government would have to take steps toward breaking up some of the combinations if they are being held in warehouses for extraordinarily high prices.

Mr. RADCLIFFE. The producers are willing to sell them at less than cost. They are being offered for sale, according to a recent trade paper, at such a figure that pink salmon ought to retail with profit to the wholesaler and the retailer for 25 cents a can and chum at 20 cents.

Dr. MOORE. The difficulty with those fish is that they are not red in color like the ordinary salmon, and the average consumer when he opens a can of these cheaper grades, which have practically the same nutritive value, thinks there is something wrong with them because they are not red. They have been accustomed to the use of the deep red-colored fish.

The CHAIRMAN. If you go to work and demonstrate that they are just as good, then the canner will put the price up on the same level with the red-colored fish.

Dr. MOORE. I suppose when he gets the same sort of demand for them that he has for the red-colored fish he will do that; that is human nature.

Mr. RADCLIFFE. I want to make one point in the case of the fishermen, unless they are able to market their product, most of them are not fitted for other employment and they have a rather hard time of it as it is. It is about as precarious and dangerous an occupation as we have.

Dr. MOORE. This would benefit not only the fisherman but it ought to benefit the consumer.

The CHAIRMAN. I did not understand just how you would expend the money. Would you have a demonstrator go into the stores?

Mr. RADCLIFFE. No, sir; the way we would do that is that we would have a demonstration unit, a demonstrator and an assistant and usually a publicity man. They would come here, say, to the city of Washington and would get in touch with the heads of the women's organiza-



tions, the housewives' leagues and that sort of thing, and get them interested in this work. They would arrange for a place in which to hold these demonstrations, which would be advertised in the papers, and the housewives would come there.

They are taught how to prepare the fish, and as the lecturer talks to them they are shown just how she prepares the fish for the oven, while telling them about these cheaper fishes with which most of the housewives are unacquainted, and teaches them to use the parts which they frequently throw away, the tails and the fins, and the heads which can be used to make soups and gravy. At the close of that demonstration she passes around these new fishes, which are really new to many of the housewives, and gives them a chance to try them out. She teaches the housewives how to prepare the fish in the home without so much of the fishy odor that so many of them complain about. In these ways we reach the home directly. I have attended some of these demonstrations and have seen the housewives, 100 or more of them, sitting there with a notebook in hand trying to jot down every bit of information that the demonstrator gave them, and it is really very interesting.

Mr. RAKER. Now, I have two letters here, and it is a misfortune that the whole matter was not presented to the Committee on Appropriations. The letters came too late for me to get them before the committee. The letters are from the executive officer of the California Fish and Game Association, Mr. Charles A. Vogelsang. These men have had varied and extensive experience in the culture and handling of fish and in the use of them for food. The first of these items, in particular, is necessary. It reads:

For the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes.

They have had an experimental work carried on down at San Pedro in the preservation laboratory of the Bureau of Fisheries. They have done a wonderful work. They have demonstrated the proper method of handling and canning these fish and the cooking of them and the use of them. As to the second item, the demonstration work has been such that good results have been obtained by that work. It is a cheap food. It shows the people how to use the white salmon, which is as nutritious as the red, and at the same time by its use we get a cheaper food product for our people than they have at the present time.

I would like to read this letter for the edification of the chairman of the committee, and on hearing it read I believe he will let this item go in. This letter is from Mr. Charles A. Vogelsang, and reads as follows:

FISH AND GAME COMMISSION OF CALIFORNIA,  
San Francisco, December 18, 1920.

Hon. JOHN E. RAKER,  
House of Representatives, Washington, D. C.

DEAR SIR: It is our feeling that the fishing industry in California is experiencing an extreme crisis; this is especially true of the 1-pound oval sardine. There has been packed in the State since last July 1, approximately 525,000 cases of 1-pound oval sardines, and now with the season just ready to open practically no sardine canneries are operating. This condition is brought about by the general depression in the business world, by the prohibitive rates of foreign exchange, by the lack of knowledge of fishes and fishing products on the part of the people of the United States. The high rates of foreign exchange are stimulating production abroad and canned sardines from Norway, France, Portugal, Spain, and Italy can be laid down in the United States for prices a good deal less than they can be produced in the United States. It seems logical to think that Europe may be supplying sardines and other fish to American markets after the rate of foreign exchange has adjusted itself because of the advertising that these foreign goods receive at this time.

What can be done to create a market for our oval sardines? A tariff will probably raise foreign products to a comparative figure. There is no doubt that the California sardine is equal to and possibly a great deal better than the European fish, but on account of its size, particularly, the American housewife does not recognize it as a sardine. It will take practical demonstrations to teach the American housewife the way to prepare sardines as well as other fishes and consistent advertising to create a market within the United States for this particular product.

At this time there are over \$35,000,000 worth of the cheaper grades (pinks and chums) of salmon held by Seattle warehouses, a great amount of east-coast fishes, including the flat fishes of New England, and a large quantity of California tuna and sardines on hand. The United States Bureau of Fisheries is seeking an especial appropriation for funds to conduct a demonstration in fish cookery on these species of fish. The amount sought by the Bureau of Fisheries is small, but a great deal can be done with this amount. The advertising will not be for to-day only but will be lasting.

This commission is very much impressed with the proposed demonstration work of the Bureau of Fisheries, and we would appreciate your support of their request. It would be very helpful, indeed, if you would appear before the House Appropriations Committee in the interest of this item.

We are inclosing a copy of the item requested of the Secretary of Commerce by the Commissioner of Fisheries.

Very truly, yours,

FISH AND GAME COMMISSION,  
CHAS. A. VOGELSSANG,  
Executive Officer.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may insert that letter in the RECORD, and also another letter, of date December 30, 1920.

The CHAIRMAN. The gentleman from California asks unanimous consent to insert in the RECORD the letters referred to. Is there objection?

Mr. GARD. Reserving the right to object, the gentleman does not mean to insert it in addition to what he has already read?

Mr. RAKER. Oh, no. I left out a little of the head and a little of the tail.

Mr. GARD. The gentleman should be particular about not doing that. [Laughter.]

Mr. RAKER. That is what they have been throwing away, and it is valuable. It is what these people have been doing and will continue to do to save the American people if they are allowed to demonstrate how the full use can be got from the fish instead of throwing away a third of it or two-fifths of it. I read:

FISH AND GAME COMMISSION OF CALIFORNIA,  
San Francisco, December 30, 1920.

Hon. JOHN E. RAKER,  
House of Representatives, Washington, D. C.

DEAR SIR: The fish and game commission is much interested in some of the 1920 estimates, as submitted to Congress by the United States Bureau of Fisheries. There is included in the estimates of the Bureau of Fisheries an item of \$10,000 "for the conduct of investigation in the development and standardization of methods of preservation of the Pacific coast fishes." This money, we are advised, would be expended by the Bureau of Fisheries preservation laboratory at San Pedro.

This laboratory, you will recall, was established in 1919 for the purpose of directly aiding the fishing industry of California. Grave mistakes, due to ignorance and inexperience, were made by the packers of tuna and sardines. In the beginning it was thought that albacore was poisonous and unfit for food and it was unmerchandiseable. As late as four years ago albacore was offered in San Diego for \$4 a ton. Then just before the war the public began to learn of the value of the albacore and tuna fish. A number of tuna canneries were opened and a large amount of money invested.

Less than four years ago, under stimulus of the war, when most any food product was salable, the sardine-canning industry was started. It was in the canning of sardines that many mistakes were made. You no doubt recall that some of the packers attempted to pack sardines in round cans, with the result that a most repulsive and indescribable mess was offered for sale. Many of the processes employed by the canneries were costly, and it is believed that no two canneries in the State, even at this time, are packing fish by the same method. Recently our attention has been called to the fact that retorting temperatures and times vary from one and one-half hours at 240° F. to three hours at 212° F.

It was seen at the outset, when the Bureau of Fisheries established its laboratory at San Pedro to help the industry work out some of its problems, that if the industry continued packing sardines and tuna by the methods that had been developed that a crisis would be met. The Bureau of Fisheries undertook in 1919 to develop methods for canning unused species of fish, hoping to find a product on which the canneries might center their efforts while the technique of tuna and sardine canning was being refined. It was also expected that methods would be developed for canning fish that were running when sardines and tuna were not available. At the same time the laboratory was studying the methods employed by the canneries in the canning of sardines and tuna, hoping to develop new methods for these species and to improve and reduce the cost of the methods that were being employed.

Most of the outlined work on the development of new methods of new species and the refining of technique has been completed, and much valuable data will soon be released.

The laboratory is now undertaking a most intensive study of each of the individual processes employed in the canning of sardines and tuna. At present a study of the fry-bath oils is under way, in which the laboratory is seeking to find a way of reclaiming the oil and to establish proper procedure to follow when frying.

We have dealt at length on the activities of this laboratory for we are thoroughly acquainted with all the work that they are doing. We feel that this work will be very valuable, indeed, to the fisheries of California, and that much will be contributed toward the development and standardization of their product. This commission and the Bureau of Fisheries have often cooperated on a number of things in this State, and we are very much concerned that the San Pedro laboratory be continued.

The Bureau of Fisheries is a conservation bureau, and the fish and game commission is directly interested in the conservation of fish. On the Sacramento River the Bureau of Fisheries and this commission have often cooperated on salmon investigations. The fish and game commission was so much interested in the laboratory of the Bureau of Fisheries in San Pedro and the work that it had done that in June, 1920, when Congress failed to provide funds for the laboratory, which would have meant the total loss of the work done and the money expended, this commission volunteered to finance the laboratory and cooperate with the Bureau of Fisheries until Congress would again provide funds for the continuance of the laboratory. The Bureau of Fisheries up until last July 1 had spent in San Pedro some \$20,000, and it had under way some very valuable experiments in the canning of mackerel, bonita, barracuda, sardines, tuna, yellowtail, and smelt. The money expended and the work under way would have been a total loss had this commission not interceded.

The financing of this laboratory by the fish and game commission meant sacrificing some very important work that this commission had under way, the curtailment of some of the regular work of the commission, and serious financial embarrassment. The commission's revenue is planned to answer the immediate needs of the commission and no more, the program of the commission expanding as the revenue increases. This year, when unexpectedly the pack was very much reduced, our revenue is far below our own requirements. Our obligation to the Bureau of Fisheries will be met, but we can not do more for the support of the bureau's praiseworthy undertaking. We are particularly

interested, therefore, that the Congressmen and Senators from California support the Bureau of Fisheries' request for \$10,000 for the continuance of the San Pedro laboratory.

The fish and game commission could not agree to cooperate with the Bureau of Chemistry, which maintains a laboratory in San Diego, for the Bureau of Chemistry is interested in the exploitation of the fisheries without regard to the supply.

The fishing industry in California can, with sufficient Federal assistance, supply to the markets of the United States and to the markets of the world over 2,000,000 cases, forty-eight 1-pound cans each of sardines, which can be sold to the public at 20 cents per can. To-day 1-pound cans of fish are selling in the East for 35 cents each. The oceans hold a great, practically untouched, food supply that can be revised methods be brought to the American public for a nominal sum.

A few days ago we wrote you requesting your support of the supplemental appropriation of \$20,000 requested by the Bureau of Fisheries for the conduct of a demonstration of fish cookery in the bureau's 1922 estimates; an item of \$15,000 is included for the continuance during the fiscal year of 1922 of the demonstration work. The fish and game commission is interested that the proposed demonstration work be continued during the fiscal year 1922.

We would appreciate it very much, indeed, if you would get behind the Bureau of Fisheries' appropriation for the year 1922 and use your influence in the passage of these items.

Very truly, yours,

FISH AND GAME COMMISSION,  
CHAS. A. VOGELSANG,  
Executive Officer.

#### Estimates, 1922.

1. Divisional appropriation	\$25,000
2. For the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, including the payment of salaries and traveling expenses and the purchase of material and supplies (submitted)	10,000
3. For the conduct of demonstration and the issuing of instruction in correct, cheap, and wholesome methods of preparing and cooking fish, including the payment of salaries and traveling expenses and the purchase of materials and supplies	15,000
4. Additional personnel:	
Chief fishery technologist	3,000
Assistant fishery technologist, increased from \$2,400 to	3,000
Assistant fishery technologist, increased from \$2,000 to	2,500
Laboratory aid	1,600
Station agent, from \$1,600 to	1,800
Station agent, from \$1,400 to	1,800
Station agent, from \$1,400 to	1,600
2 station agents, from \$1,000 to	1,400

Supplemental estimate of appropriations required by the Department of Commerce for the fiscal year ending June 30, 1921.

Miscellaneous expenses, Bureau of Fisheries: For conducting demonstrations and imparting instruction in correct, cheap, and wholesome methods of preparing and cooking fish, especially kinds available in large quantities and at comparatively low prices, including the payment of salaries in the District of Columbia and elsewhere, traveling expenses, and the purchase of material and supplies, to be immediately available (submitted) \$20,000

I hope the chairman of the committee has absorbed the real meat of this letter, and I hope the gentleman will withdraw his point of order and let this go in.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. GOOD. Mr. Chairman, I make the point of order.

The CHAIRMAN. Upon what ground?

Mr. GOOD. On the ground that it is for work not authorized by law; that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from California want to be heard on the point of order?

Mr. RAKER. Yes. I was looking the matter up last night and spent considerable time on it, and I want to say that I offered this amendment at the beginning of this section, so as to test the remainder of the amendment. There are other items in the bill like this, and unless this provision is included, those other items ought to go out. I hope nobody will object to it. I thought possibly the committee would construe it as I have construed it for the Chair, under section 699 of the Revised Statutes, which is found on page 165 of Barnes's Federal Code, which reads as follows—and that is the only thing I can find on it:

The Commissioner of Fish and Fisheries shall prosecute investigations and inquiries on the subject with a view of ascertaining whether any and what diminution of the number of food fishes of the coasts and of the lakes of the United States has taken place; and if so, to what cause the same is due, and also whether any and what protective, prohibitory, or precautionary measures should be adopted in the premises, and shall report upon the same to Congress.

Now, it seemed to me a nice, easy construction would be permissible under this law, and particularly under the clause, "and if so, to what causes the same is due," and that it would be permitted to obtain as to this first item in particular, regarding the standardization and development of the fish industry, because by virtue of that you save the catching of the fish, because they have been destroyed in the way they have been handled, and by knowing their life and conditions we are in a position to continue proper fish culture.

Mr. GOOD. Mr. Chairman, if we adopted that "nice, easy construction" for the first amendment, then the gentleman from

California could very properly hang the second amendment on the "nice, easy construction" by which the first amendment was adopted.

Mr. RAKER. To be perfectly fair, that was my idea. [Laughter.]

The CHAIRMAN. Does the gentleman from Iowa make a point of order on the amendment?

Mr. GOOD. I do.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Steamer *Albatross*: Naturalist, \$2,750; general assistant, \$1,400; fishery expert, \$1,400; clerk, \$1,200; in all, \$6,750.

Mr. GOOD. Mr. Chairman, I am not sure what Congress ought to do with regard to this item. The steamer *Albatross* carries 80 men and 8 officers. It is a naval vessel, and that steamer is used for some scientific investigations in regard to deep-sea fish. That vessel has been tied up for over a year, with 80 men aboard and 8 officers aboard, because they could not get the naturalists, and we have carried here an increase in the appropriation from \$2,200 to \$2,500 for the naturalist. The committee is in doubt as to what the best policy would be. I am not an expert on the subject of the Bureau of Fisheries. We feel that the bureau is costing more than ought to be expended for the purpose for which the appropriation is made, and we have tried to cut it down.

Here was an item for a boat with 80 men aboard, stationed there all the year, tied up to the wharf. I thought I ought to bring the matter to the attention of the House, so that the committee might determine whether we should cut out the item entirely and let the vessel go back into the Navy, where they might use it, or increase the appropriation for the pay of the naturalist to a point where one could be secured, and put the men to work. Now, we have assumed that it was one of the items that perhaps the committee might want to act upon. I am frank to say that I do not know enough about the results of investigations of this kind to say whether or not it is justifiable to go to the great expense of maintaining this project with 80 men and 8 officers to make these deep-sea investigations.

Mr. EDMONDS. I understand it is a naval boat?

Mr. GOOD. It is a naval boat.

Mr. EDMONDS. Would it be in commission anyhow, whether it was doing this work or other work?

Mr. GOOD. I have said it was a naval boat. I am not sure about how the boat was acquired. I know that it is officered by naval officers and manned by men who are paid out of naval appropriations.

Mr. EDMONDS. It probably would stay in commission anyhow, whether it was put on this work or other work.

Mr. GOOD. I am not sure as to that.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Ohio.

Mr. FESS. I am not acquainted with the particular item, but the gentleman is satisfied that the Bureau of Fisheries are doing a very important work generally speaking, is he not?

Mr. GOOD. Oh, yes; I have no doubt about that.

Mr. FESS. I do not know about this particular item.

Mr. GOOD. I do not know just exactly what results have been accomplished by this deep-sea investigation. It must be very expensive, with 80 men and 8 officers, requiring a large expenditure from the naval appropriation bill to carry on this work. That is where the pay comes from.

Mr. HICKS. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. HICKS. Does not the gentleman think the Bureau of Fisheries are devoting a large amount of time and perhaps an unduly large amount of their time to the investigation of purely theoretical questions and not to the practical side of the fisheries industry? Representing a marine district I have had that complaint from the fishermen of my district. While they realize the benefits of this bureau, they feel that there is not enough practical work being done, that too much of it is theoretical. I want the gentleman's opinion about that.

Mr. GOOD. The gentleman can get all kinds of opinion with regard to the Bureau of Fisheries. In some of the places where they are engaged in fish culture, as at Woods Hole—

Mr. HICKS. Where is that?

Mr. GOOD. That is up in the State of Massachusetts. Some very great men have come from that section of the country. It is a noted place.

Mr. HICKS. The gentleman is joking, is he not?

Mr. GOOD. No; it is a noted place.

Mr. FESS. One of the most important research stations in the world.



Mr. GOOD. Some people claim that the money ought to be expended for fish culture, in order that the young fish may be placed in the streams and lakes, and thereby the food supply of the country increased. Others, who are more interested in the scientific side of the question, say that too much money is being expended for fish culture, and that we ought to have more for the scientific side. Now, the gentleman has the two sides of the argument. Congress has been quite liberal and has appropriated very generously for both.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I desire to ask the chairman of the committee if the steamer *Albatross* is ready now to resume service, or whether it is still tied up to the dock?

Mr. GOOD. It is tied up to the dock, because they have no naturalist. They can not get a naturalist for \$2,200 a year, and because they have no naturalist the steamer is tied up there, and 80 men and 8 officers are loafing and drawing pay out of the naval appropriations.

Mr. GARD. Under this appropriation of \$2,750, will it be possible to get a naturalist for that salary?

Mr. GOOD. I think that is what they claim. That was what they said it would require.

Mr. GARD. Is not that the answer, that if they get the naturalist they will put the boat into service?

Mr. GOOD. They will put the boat into service, and it seemed to the chairman of the committee that the matter ought to be submitted to the House and to the judgment of gentlemen who know more about the value of this work, whether it was of a character that would warrant the tremendous expenditure. It was a matter that the Naval Committee have investigated, I suppose, because for years they have appropriated the money for the officers and men.

Mr. GARD. Of course, this is not a contribution from any master mind, but it seems to me that if this boat is ready to resume service, why not give them the appropriation which will enable them to secure a naturalist and go to work?

Mr. GOOD. That is what the committee have done.

Mr. BLANTON. Mr. Chairman, I move pro forma to strike out the last two words. In answer to the question propounded by the gentleman from New York [Mr. Hicks], I want to call the attention of my colleagues who live along the coast, where they can get a plentiful supply of fish and oysters, to the disadvantage which many people in the United States labor under who live away from the water, and who are not able to get fish except through this very institution of the United States Bureau of Fisheries. Many towns in the State of Texas situated away from streams have built artificial lakes, and they have stocked these reservoirs with fish which they have obtained from the United States Bureau of Fisheries, and now their people are able to go out there and enjoy the lucrative sport of catching a plentiful supply of good bass and trout and crappie and various other kinds of fish. I want to say that such privilege means a great deal to the people who live away from the ocean and from rivers which contain fish.

Mr. HICKS. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. HICKS. I did not intend to condemn the Bureau of Fisheries. I am a great believer in it. I believe in the practical work which the gentleman from Texas is now explaining. That is what counts. What I was criticizing was that, in my opinion, too much of the work is theoretical and not practical. I represent a big oyster industry, one of the most important activities of my district. The Blue Point oysters, among others, come from Long Island. For the last two or three years there has been some disease affecting oysters, so that they do not now propagate as freely as formerly, and do not mature as rapidly as they did. Our oyster fishermen tried to get the Bureau of Fisheries to detail a vessel to make an investigation of the matter; to go out over the oyster beds and endeavor to ascertain what was the cause of the diminution in the supply of oysters. The answer was that they had not money enough because they were using it for other work. That kind of practical investigation would have been in line with what the gentleman speaks of, because it would have increased the oyster supply if we could have determined the nature of the disease affecting the oyster.

Mr. BLANTON. Certainly; but I want to repeat that this particular institution is of great benefit to the people of the country.

Mr. HICKS. Oh, I agree with the gentleman about that.

Mr. BLANTON. And there is hardly a week passes that I do not get applications for fish from my district.

Mr. BOWERS. Mr. Chairman, I move to strike out the last two words. I do not know for what purpose the steamer

*Albatross* has been used during the past two years, but I do not think it is proper that the next administration should be jeopardized because of the fact that it has not been used to good advantage. The *Albatross* years ago was used in deep-sea explorations. That vessel has rendered valuable service to this country. It is officered and manned by the Navy, and in years gone by the naturalist on the *Albatross* received a salary of \$1,800 a year. I notice in this item that it is \$2,750. There is no good reason for striking out the item simply because one administration has not been able to secure the services of an effective individual at this salary. The *Albatross* could be used in a great many ways to good advantage, but in days gone by the appropriations have not been sufficiently large to enable it to always be used to advantage. The cost to the Fisheries Bureau has been slight. The *Albatross* was pressed into the service during the war. As I say, I hope the next administration will not be jeopardized on account of the fact that some other administration has not utilized that vessel to its best advantage, and that the item will be permitted to continue.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For developing by the Bureau of Fisheries in cooperation with the Bureau of Standards new aquatic sources of supply of leather, including personal services in the District of Columbia and in the field, the unexpended balance of the appropriation for the fiscal year 1921 is reappropriated and made available for the fiscal year 1922.

Mr. BLACK. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 144, lines 18 to 23, inclusive, strike out all of the language from the beginning of line 18 to line 23, inclusive.

Mr. BLACK. Mr. Chairman, this appropriation to authorize the Bureau of Fisheries in the Department of Commerce to experiment with the development of leather from aquatic animals was made at a time when green hides were selling freely around 30 and 35 cents a pound, and when, of course, leather was also very high. At the present time those Members of us who come from the live-stock districts know that the best green hides are selling freely at 4, 5, and 6 cents a pound, and, while there is general complaint at the high price of shoes and harness leather and all leather products, it is certainly not because of the high price of raw materials. I happen to know a little about the hide situation, because in the business in which I am interested we have handled hides for 20 years. Green hides are now selling lower than I have seen them sell in the last 20 years, except at one time. It would be a useless thing for us to continue an appropriation to enable the Bureau of Fisheries to experiment with the development of leather from shark fish, to compete with the hides from our live stock, when we are at this very time seriously concerned in doing what we can to protect the live-stock industry from collapse and ruin because of the conditions that face it. High leather can certainly be no longer attributed to high-priced hides. The supply of cowhides is overwhelmingly abundant, and the price of them is ruinously low to the producer.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Certainly.

Mr. BLANTON. My colleague stated that we have been doing what we could to safeguard that interest, and yet I call his attention to the fact that by the emergency tariff bill which we lately passed and which one of the great Senators has to-day agreed to permit to pass in the Senate, we left hides on the free list, as well as frozen beef.

Mr. BLACK. I am glad to state to my colleague that I have never thought that hides ought to be on the free list. I stated my attitude on the tariff question when we had the bill under consideration. I believe that on all of these products there ought to be paid a reasonable duty at the customhouse, but on the other hand, of course, without elaborating on that phase of the matter, I would not at any time vote for a tariff duty that I think would amount to an embargo.

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. CLARK of Missouri. What connection is there between the low price of green hides and the high price of shoes?

Mr. BLACK. I was just coming to that, and shall read from a letter that I received to-day, which calls my attention to the situation that does exist. The writer of this letter wrote it to a large printing concern in my district, and they call attention especially to this leather situation. I agree with the gentleman from Missouri [Mr. Clark] that either the price of shoes and harness leather and other leather products

ought to come down to the consumer or else the producer ought to receive more for his hides, and it is up to us if we do not already have legislation to deal with this subject to provide legislation that does deal with it. As I say, this letter was written to a constituent of mine by a wholesale house that has a business at Shawnee, Okla., and I quote from the letter:

When a cow dies in this western country to-day the owner hauls it off and buries it hide and all.

That is true. All of us who live in the live-stock sections know that fallen hides are hides that are taken off animals that die without being slaughtered. There are very few fallen hides being sold to-day, because, as a matter of fact, the owner of the dead animal can not get pay for his labor in removing the hide, and the writer of this letter states the correct fact when he says that if a cow dies now they just haul it off and bury it, hide and all.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLACK. I continue to quote from the letter:

Ask him why he does not skin the animal and sell the hide, and his answer is there is no market for green hides at any price.

A cowhide usually brings now 75 cents to \$1.50, if you can find a man who will buy them at all.

Yet the bookbinder pays 55 cents a square foot for a hide that brings the farmer about 2 cents a square foot.

It costs 3 cents a foot to cure and treat a hide, and leaves 50 cents a foot profit for the jobber and manufacturer.

Are you not tired of these profiteering prices?

Reasonable profit and profiteering are not one and the same thing.

Mr. Chairman, as I stated a while ago, I realize that in the cost of the manufactured product the cost of the raw material is by no means all of the cost, but it is undoubtedly true that either these leather products ought to come down to a reasonable price to the consumer or else the producer ought to receive a larger price for his hides. There is a disparity between the two which simply must be corrected. It is not a holding movement that our farmers and live-stock men need at the present time, it is a "moving movement"; and the reason that wool and hides are piled up in warehouses, and the reason that shoes and clothing are piled up in warehouses, is because the prices to the consumer have been made so high that he has withdrawn from the market and we have had what has been in effect a buyer's strike, and the articles of manufacture instead of moving out into channels of trade have been stacked up in warehouses and retail houses. We are encouraged to believe that retailers and wholesalers are now beginning to realize the unsoundness, not to say unfairness, of the position which they have sought to occupy, and are placing their goods on the market within the range of prices which the public is willing to pay. This movement is making the condition of trade much healthier and is bound to start the wheels of commerce going again, and consequently will revive the markets for the farmer's raw products and therefore will stimulate his price. It is in that way that the law of supply and demand will get into proper functioning again.

Mr. KING. Will the gentleman yield?

Mr. BLACK. I will.

Mr. KING. Is it not a fact that the 4,000,000 pounds of wool that are now in storage in and around New York is not the fault of the buyers, but due to the fact the Federal Reserve Board, through its administration, has financed that wool and they are able to hold it?

Mr. BLACK. Most of the criticism against the Federal Reserve Board which I have heard lately has been because of its restricting credits. Of course—

Mr. KING. And have refused to extend to the farmer the same courtesy they have extended to the speculator?

Mr. BLACK. No; I do not admit the correctness of that statement. I do not profess to have any personal knowledge of the facts about wool, and would therefore not volunteer any information of my own, but I can not accept that criticism of the Federal reserve banks because I have no idea it would be a just one. But now without carrying forward any further my remarks, I think with the knowledge that we all have that green hides are now selling at ruinously low prices, that it would be folly for the Congress to go ahead and continue an appropriation even in the small amount of \$5,000 to develop leather from shark fish and put that into competition with hides which are not bringing anything like the cost of production.

Mr. MAY. Does that include leather from the sharks who are profiteering on shoes?

Mr. BLACK. No; I do not think they would be included. Something must be done, however, to get after them, if shoes and leather products do not get within a price range more comparable to the price of the raw hides.

Mr. JONES of Texas. Mr. Chairman, I just want to add a word in behalf of my colleague's amendment on this proposition. I represent a district that has a great many cattle, and last year thousands of carcasses went unskinned simply because the carcasses were not worth the skinning; these hides would not bring enough to justify the skinning of the carcass. So that it seems to me that it would not be worth while to spend money on the part of the Government to develop the making of leather from some other sources even though the leather were needed and even though this kind of an experiment were worth while. But in this instance the work has actually been completed, and it is just another of those instances where more money is appropriated than is needed and the people seem to feel they are under obligation to spend all the money that has been appropriated. It seems under the hearings that last year \$10,000 was appropriated for this experiment. They have only spent \$5,000 of it, and now they ask a reappropriation of the other \$5,000; in other words, to make it available. If you read the hearings, pages 1393 and 1394, with reference to this appropriation, you will find that the department has already developed this process and has shown that it is practical and that there are a number of firms which are now using it. They simply want to continue the experiment further and see how long it will wear. Well, it seems to me if firms are already using this leather made of sharks' hides, and a number of companies have been organized to fish for sharks in order to use this leather, that there is little use of the Government spending \$5,000 more to show whether or not the leather will wear. It does not seem to me that it is necessary to have an expert to find out whether leather will wear.

Those people desiring to enter the business, having gotten the benefit of the Government's experiment in such leather, showing that it can be used, can conduct their own experiments after this. The department wants to use \$5,000 more of the sum appropriated last year. They do not want to turn anything back into the Treasury. The entire hearings on this particular item, covering just about one page, 1393 and 1394, show that there are some 23 companies who use this method of making leather, and so aside from the question of there being plenty of hides already that are practically worthless—not worth using—the experiment has been completed, and the appropriation carried from last year would be simply for the purpose of continuing a man in a job; that is all. For that reason the amendment ought to be carried, and the appropriation denied.

Mr. EDMONDS. Mr. Chairman, I rise to oppose the amendment. Mr. Chairman, during the war we found ourselves in the position in the cities where we do not have any live stock that we had to pay enormous prices for leather. We were very glad, indeed, when we found the United States Government would investigate some other sources of leather to enter into competition with the leather we had gotten in the past from cattle on the western ranges. The department has succeeded in producing a very fine quality of leather from certain skins, like the shark, the whale, or the porpoise, and they desire further to experiment to find out the wearing qualities of this leather and also to find out how to remove certain oils, certain ingredients in the leather that do not seem to belong there if they are going to be used commercially.

Mr. BLANTON. Will the gentleman yield?

Mr. EDMONDS. Not right now.

The CHAIRMAN. The gentleman declines to yield.

Mr. EDMONDS. There is one thing certain, and that is it is a good thing to have in this country competition between commodities that are used generally by the people. I believe we would make a mistake in trying to disturb this experiment. I believe the results will guarantee a competitive market in leather in the future that will prevent any such profiteering as has gone on during the past two years.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. EDMONDS. I will.

Mr. CLARK of Missouri. I would like to ask the gentleman or some other eminent dermatologist whether the making of shark's leather, porpoise leather, and so forth, is going to reduce the price of shoes?

Mr. EDMONDS. I hope so.

Mr. BLANTON. Will the gentleman now yield?

Mr. EDMONDS. Certainly.

Mr. BLANTON. Why should not this be done by private capital and private enterprise?



Mr. EDMONDS. Because it is only since the Government has carried out these experiments that private enterprise has attempted to come in.

Mr. BLANTON. Well, after we do this will the gentleman's friends—will not they monopolize and be still profiteering on the people with respect to the new kind of leather?

Mr. EDMONDS. I object to the remark of the "gentleman's friends," because I know nobody in the business; but I have seen the leather.

Mr. BLANTON. I mean up in his country?

Mr. EDMONDS. I have seen the leather coming from the Bureau of Standards, and I am very glad, indeed, to hear they are making a good quality of leather, and I think for the benefit of the people at large it is a good thing to have competition in a matter of this kind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the amendment was agreed to.

Mr. OSBORNE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. OSBORNE: Page 144, after line 23, insert the following paragraph:

"Preservation laboratory at San Pedro, Calif., for the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, including the payment of salaries and traveling expenses and the purchase of material and supplies, \$10,000."

Mr. GOOD. Mr. Chairman, I reserve a point of order on that.

Mr. OSBORNE. Mr. Chairman and gentlemen, this is practically the same amendment that was offered by my colleague [Mr. RAKER] except that it specifies the location of the laboratory. The work that has been done there at this San Pedro laboratory, which is in my district, has been most valuable and has contributed very considerably to the increase in the amount of fish food that is produced. The fisheries there in the Santa Barbara Channel are comparatively new. They have learned only within the last four or five years that certain fish, which are abundant there, are really valuable for food. The albacore is one of them. Within the last 35 years I have caught, perhaps, tons of albacore just for fun, and have thrown them all away. It has been demonstrated that they are extremely valuable food, and this laboratory has done good work in demonstrating that fact and in respect to the packing of sardines.

In regard to the sardines, in a communication which I have from the California Fish and Game Commission, it is stated that the fishing industry in California can supply to the markets of the United States and to the markets of the world over 2,000,000 cases of 48 one-pound oval cans each of sardines which can be sold to the public for 20 cents. To-day the one-pound oval cans are sold in the East for 35 cents. This work is extremely valuable, and I am greatly in hopes that the chairman of the committee and the committee will find it consistent to allow this small item of \$10,000 for this work. I think they would be consenting to a very valuable public service.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GOOD] insist on his point of order?

Mr. GOOD. I insist on it.

The CHAIRMAN. Does the gentleman from California [Mr. OSBORNE] wish to be heard on the point of order?

Mr. OSBORNE. I do not.

The CHAIRMAN. The Chair sustains the point of order.

Mr. OSBORNE. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Mr. Chairman, where are we reading now?

The CHAIRMAN. On line 24, page 144.

Mr. CANNON. That has not yet been read?

The CHAIRMAN. The Clerk is about to read that. The Clerk will read.

The Clerk read as follows:

Maintenance of vessels: For maintenance of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, and all other necessary expenses in connection therewith, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, \$120,000.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I ought to have asked for recognition when lines 10 to 17 were being considered. I listened to the two gentlemen from Texas, and I listened to our friend as to the language in lines

19 to 23. The maintenance of vessels is related to the fishing industry. It seems to me that the same argument that is made to increase the price of hides, as in the next item also, would apply to this. When you seek to cut off the appropriation because meat is cheap in Texas and hides are worthless in Texas, and do cut it off, why should we have any vessels in order that we may handle more fish? There should be competition right along the line. I do not think the two former amendments ought to have been agreed to. But I am not going to make any motion about the paragraph that is under consideration now. Logically we ought to go out of the fishery business, because of the production of oysters, to please my friend from New York, and on account of the disease there. And we ought to cut off the production of leather in order to aid Texas and to aid Illinois. We have got a good cattle industry in Illinois. Why not let everything be utilized that can be practically utilized that brings food or clothing to the human family?

Mr. BLANTON. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. BLANTON. The main argument in favor of the amendment of my colleague from Texas was to prevent these leather profiteers from using the money of the United States Government to do their experimenting with.

Mr. CANNON. Now then, in reply to that, I wish to say that I listened to the distinguished gentleman when he spoke about the great demand for fish to be planted down in the inland waters of Texas, and I thought that appropriation ought to be increased. Well, it seems to me they all ought to stand or fall together, because as the sun comes up and the sun goes down, everything that is useful to clothe the human family or to feed the human family, it seems to me, ought to be encouraged and not discouraged.

Mr. BLANTON. Right there, if the gentleman will yield further.

Mr. CANNON. Oh, certainly.

Mr. BLANTON. The people get the benefit of the fish, but the people do not get the benefit of this experimentation made by the money of the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. Mr. Chairman, I ask for one additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. That is, people best go without shoes, and you might as well say they should go without food. That is all I have to say.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Sponge fisheries: For protecting the sponge fisheries, including employment of inspectors, watchmen, and temporary assistants, hire of boats, rental of office and storage, care of seized sponges and other property, travel, and all other expenses necessary to carry out the provisions of the act of August 15, 1914, to regulate the sponge fisheries, \$3,000.

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

I wish to say to my friends from Texas and New York, in their zeal to serve their constituencies, that down in Mississippi and in Texas, and in all of the cotton States, I am informed, last year's cotton crop and this year's cotton crop will not begin to be sold for enough money to pay for the cost of production.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. JOHNSON of Mississippi. The very best grade of short staple cotton is selling at 11 cents, and other grades are being sold for as low as 5½ cents.

Mr. CANNON. Then I am right about it. It will not pay for the cost of production, and the two crops are unsold. Now, this is for sponges. The cotton industry also ought to be protected. It is a great industry. Cotton is used for towels, and for all kinds of underclothing, and that kind of thing. Now, the towels are used to wipe the face after washing it in water, and sponges are useful for the same thing. But here—

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Certainly.

Mr. BLANTON. We want to leave these sponges in here, because they are needed by the legislators above us just after they have taken those magnificent baths which they have lately provided themselves with.

Mr. CANNON. Does not that affect the cotton industry? They would use the cotton towels, you know. Let us be consistent. I am not going to make any motions about it.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

BUREAU OF STANDARDS.

Testing of large scales: For investigation and testing of railroad track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post office, navy yard, and customhouse scales, and for the purpose of cooperating with the States in securing uniformity in the weights and measures laws and in the methods of inspection, including personal services in the District of Columbia and in the field; \$40,000.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word!

Mr. BRIGGS. I do not observe in these items for the Department of Commerce any provision made for the Bureau of Foreign and Domestic Commerce.

Mr. GOOD. That is not carried in this bill. That is carried in the legislative, executive, and judicial appropriation bill.

Mr. FOCHT. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. FOCHT. Mr. Chairman, before leaving this division of the bill and passing on to this Department of Labor I would like, if possible, to correct a misapprehension that I think may be entertained here in regard to this leather business. The gentleman from Missouri [Mr. CLARK], the ex-Speaker, suggested something that is perhaps more pertinent than anything else connected with this whole bill. That was his suggestion with reference to the distance between the raw hides of Texas or any other State and the finished product in the shape of shoes to the people of the East and North and West, or anywhere else.

Now, it is well known that the process of tanning—and there are many tanneries in my district—requires something like a year. I know of tanners in my district who made great fortunes during the war out of stocks that had been bought and put into process of tanning before the war. One man in particular I know who, having ceased operations, retained his fortune, less the excess-profits tax, if he did not commit suicide after he had made out his excess-profits tax return to the Government. [Laughter.] Another man that I know proceeded to stock up at the prevailing high prices, and he lost several hundred thousand dollars that he made. At least, he stands for a paper loss to-day.

Now, what actually stares us in the face is the utter absence now, about two years after the war, of the operation of the law of supply and demand. Some years ago I saw with great joy on an occasion the Wright brothers at Fort Myer overcome, temporarily at least, the action of the law of gravitation; and yet we sit here with definite knowledge of the ruination of the farmers of the West, so far as the raising of cattle is concerned, and of the enormous profits that the retailer is getting, and the disaster that has been wrought to so many tanners, and yet do nothing to bring about relief.

Mr. MURPHY. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. With great pleasure.

Mr. MURPHY. I have heard the statements made on this floor about the great profits that the retailers are making.

Mr. FOCHT. Is the gentleman a retailer? He is, is he not?

Mr. MURPHY. Yes.

Mr. FOCHT. I thought so.

Mr. MURPHY. I want to say now that your tanners made a great profit on their hides before they ever reached the retailer.

Mr. FOCHT. Very well. We will take a noted instance of a man in Washington who appeared before a committee here and admitted that before the war his profits were something like \$15,000 a year, but as the European war progressed they doubled each year, until in the last year of the war in which we were involved he made a profit of \$125,000. He is a retailer, and he admitted that he received as much as \$12 and \$14 a pair for shoes that cost him less than \$6.

That is not a general statement, I will say to my friend from Ohio. That was under oath from a shoe dealer in Washington who appeared before a committee.

Now, there is no use in trying to get away from these facts. They are right up in Pennsylvania, they are here in Washington, they are everywhere, and it is a crime that ought to have been punished with something only a little less than hanging, this unconscionable profiteering in food and clothing. It is all a cruel outrage against the people who put up their money to

prosecute the war and saw their resources and savings taken from them by these profiteers who charge these enormous prices for shoes and other necessities.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Certainly.

Mr. McCLINTIC. I filed with the Committee on Agriculture a copy of a price list from the Edwin Clapp Shoe Co., showing that the trade paid \$16.25 a pair for shoes. How does that square with that statement which the gentleman has just made as to the retailer?

Mr. FOCHT. That would depend upon the kind of business the gentleman is in.

Mr. McCLINTIC. I will say to the gentleman that I have been in the retail business.

Mr. FOCHT. Yes. We want to get the viewpoint and the standpoint of each man, and get a broader vision as to these things. I am a purchaser of shoes. I see men wearing patched shoes. My own shoes are half-soled. I can not afford to wear those \$20 shoes we once bought for \$7.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FOCHT. Mr. Chairman, I ask for five minutes to further discuss this question of the shoe business.

Mr. McCLINTIC. What business is the gentleman in?

Mr. FOCHT. I am a publisher; also generally a Congressman.

Mr. MURPHY. And you deal in advertising, too?

Mr. FOCHT. Yes; but we never attempted to raise the price 300 per cent.

Mr. McCLINTIC. Does not the gentleman have something to do with the coal prices that are charged to the people of the country?

Mr. FOCHT. No; but I have a lot to do in paying them, and I want to see any coal profiteers pilloried, the same as the shoe fellows. [Applause.]

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the item in the bill.

Mr. FOCHT. Well, I will submit the question to the House as to whether I shall proceed for five minutes or not. But I have already received the consent of the House, and therefore I want to say, gentlemen, that—

Mr. GOOD. I make the point of order, Mr. Chairman, that the gentleman is not speaking to the item.

The CHAIRMAN. The gentleman from Iowa will state his point of order.

Mr. GOOD. The gentleman is not speaking to the item of the bill which is under discussion.

Mr. FOCHT. Let us see if I am not. May I make a statement to the Chair?

The CHAIRMAN. The gentleman from Pennsylvania made a motion to strike out the last two words, and discussed that motion for five minutes, and then got unanimous consent to continue for five additional minutes.

Mr. FOCHT. Yes; and I insist on my rights.

Mr. BANKHEAD. I ask that the gentleman be allowed to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Pennsylvania may be permitted to continue during the remainder of his five minutes out of order. Is there objection?

Mr. GOOD. Reserving the right to object, I stated to gentlemen on the other side of the House that I would make points of order on matters of this kind. My attention was not called to what the gentleman was discussing until we got into this uproar.

Mr. FOCHT. No uproar at all.

Mr. GOOD. I must object.

Mr. KING. If the gentleman objects, I make the point of no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum present. The Chair will count. [After counting.] Eighty-nine Members present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Cantrill	Davis, Tenn.	Fairfield
Babka	Carew	Dempsey	Ferris
Baer	Carss	Dewalt	Fields
Bell	Casey	Denovan	Fish, jr.
Benson	Collier	Doelling	Flood
Bland, Ind.	Copley	Drewry	Fordney
Bland, Mo.	Costello	Dunn	Frear
Boomer	Crisp	Ellsworth	Gallagher
Britten	Currie, Mich.	Elston	Gandy
Brumbaugh	Dale	Emerson	Gandy
Burke	Davey	Esch	Glynn
Candler	Davis, Minn.	Evans, Nev.	Godwin



Goldfogle	Kennedy, Iowa	Mott	Smith, N. Y.
Goodall	Kettner	Nelson, Wis.	Steele
Goodwin, Ark.	Kincheloe	Nicholls	Stephens, Ohio
Gould	Kitchin	Nolan	Stevenson
Graham, Pa.	Kleczka	O'Connell	Stiness
Green, Iowa	Kreider	Oldfield	Strong, Pa.
Hadley	Langley	Oliver	Sullivan
Hamill	Lehibach	Olney	Swope
Hamilton	Little	Padgett	Taylor, Colo.
Harrell	Longgan	Parker	Timberlake
Hawley	Longworth	Porter	Townner
Hays	McCulloch	Raney, Ala.	Vare
Hersman	McDuffie	Raney, H. T.	Voigt
Hicks	McKenzie	Riordan	Walters
Hill	McKeown	Robinson, N. C.	Ward
Hudspeth	McKiniry	Rogers	Watkins
Hulings	McLane	Rowers	Welling
Hull, Tenn.	Maher	Sanders, La.	Welty
Igoe	Major	Sanford	White, Me.
James, Mich.	Mann, S. C.	Scully	Williams
Johnson, S. Dak.	Martin	Sears	Wilson, Ill.
Johnston, N. Y.	Mason	Sims	Wilson, Pa.
Jones, Tex.	Mead	Sinnot	Winslow
Juni	Minahan, N. J.	Small	Wise
Keller	Monahan, Wis.	Smith, Idaho	Wood, Ind.
Kelley, Mich.	Moon	Smith, Ill.	Wright
Kelly, Pa.	Mooney	Smith, Mich.	Young, Tex.

The committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the sundry civil appropriation bill, H. R. 15422, found itself without a quorum, whereupon he caused the roll to be called, when 279 Members, a quorum, answered to their names, and he handed in the list of absentees for printing in the Journal and Record.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOCHT] has three minutes remaining.

Mr. FOCHT. Mr. Chairman, I might properly proceed strictly in order under this section and continue my observations concerning the high cost of shoes, by dwelling upon the interstate commerce traffic, but I appreciate the fact that the day has been set apart for this bill, and that it is of vast importance. I appreciate the indulgence of the House, and I am satisfied that on a ye and nay vote of the gentlemen present they would give me 15 or 20 minutes to finish what I had started to say; but I appreciate the ability of the gentleman in charge of this bill, and his tireless and ceaseless work, and the remarkable results which he has accomplished here as chairman of the Committee on Appropriations. Therefore I will say nothing further on this subject to-day, although I believe it transcends every other question in importance, that it is paramount, that we find here a unanimity and harmony of spirit that has not manifested itself before since I came here more than 14 years ago. Finding the House agreed upon the great emergency measure to relieve the farmers, to which all opposition, I believe, has been withdrawn in the Senate, at least as far as Pennsylvania is concerned [laughter], we are all united, I am glad to say, and I know that the Pennsylvania Senator's approval means its passage, and I hope that you Democrats will see that the President signs the bill.

Now, just one thought and I am through, and will leave this matter to my good friend ex-Speaker CLARK to dwell upon at some time again. I only regret that our distinguished former Speaker of this House, the gentleman from Missouri [Mr. CLARK], who made the suggestion a while ago, did not amplify into a long speech on this question of highway robbery on the part of these shoe dealers and coal dealers and market men and storekeepers in Washington, that in the days of Charles III there would have been a long string of these merciless fellows hanging to the trees and lampposts along the highway. [Applause.] Now, my friends, I just want to conclude by expressing my high appreciation of the suggestion made by my old friend, former Speaker CLARK, and to say that he has a statesmanlike apprehension and vision and foresight, and I hope that some day he may take the floor and give us one of his exalting and illuminating and statesmanlike speeches on this subject. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For an elevator in administration building, contagious diseases hospital group, including installation, \$12,500.  
In all, \$55,000.

Mr. SABATH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 147, strike out all of line 13 and insert in lieu thereof the following:  
"And for other needed work and improvements; in all, \$250,000."

Mr. BLANTON. I reserve a point of order on the amendment. The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. SABATH. Mr. Chairman, the department has requested an appropriation of \$560,000 for this purpose. The Committee on Appropriations, in the desire to show a spirit of economy, has eliminated all of the appropriation asked for, except \$55,000, in lieu of the \$560,000 requested.

About two weeks ago, on the floor of this House, the Immigration Committee that investigated conditions at Ellis Island reported conditions existing there that were indeed deplorable. They reported that hundreds upon hundreds of unfortunate immigrants who under our law are permitted to come have been obliged to be detained for several days at Ellis Island under most distressing conditions because of lack of officials to conduct the inspection. These poor people have no place to sleep, no place to eat. Notwithstanding that report and notwithstanding the request of the department for relief to bring about a better condition, to improve conditions at Ellis Island, the Committee on Appropriations have refused to listen to those appeals and have refused to appropriate a sum large enough to enable the officials at Ellis Island to bring about such improvements and to provide such facilities as shall result in giving these unfortunate people humane treatment.

A little while ago we increased the appropriation by \$200,000 to enforce the prohibition act. I did not vote against it. Any appropriation that is needed for enforcement of the law I am for. At the same time I believe we should not practice false economy, especially in view of the fact that the moneys that are being collected from these immigrants far exceed the appropriations requested. It is for that reason that I offer this amendment to increase the appropriation by \$200,000 to enable the officials to provide such additional space as is needed for these men and women and children who are obliged to remain upon this island for two or three days at a time, so that it will not be charged that we have no feeling whatever for these unfortunate whom we permit to come under our present immigration law. It is for that reason that I offer the amendment, hoping that the amount will be appropriated.

Mr. BLANTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The gentleman's amendment has this language in it—  
and for other needed work and improvement.

That would call into play the discretion that might be entertained by one officer as against that of another. There is no law which authorizes the department to spend money according to their idea of what is needed in work and improvement. This is attempted legislation on an appropriation bill.

The CHAIRMAN. The Chair thinks that the language—  
and for other needed work and improvement—

would mean that within previous authorizations or within the provisions of existing law, and that it would not permit anything that is unauthorized by law. The Chair, therefore, overrules the point of order.

Mr. GOOD. Mr. Chairman, there were a great many items at Ellis Island that were estimated for originally. At the hearings a great many of the items estimated were withdrawn or waived. It is true that they asked originally for a very large sum. For example, they asked for a granite-faced sea wall, \$250,000. That is one of the necessary improvements that could be paid for out of the gentleman's appropriation. Then they proposed to make some change down there with regard to the heating of the building, through the substitution of oil burners for coal burners. One of the great menaces in New York Harbor to-day is through the pollution of the waters there by the emptying of the oil tanks on steamers that use oil for fuel. They empty thousands and millions of gallons of refuse oil into the harbor, and it is becoming one of the great menaces to the harbor. It is proposed here to have a Government oil-burning apparatus, at an estimated cost of \$100,000. The committee felt that so far as some of these things were concerned that service could be cared for and work postponed to a later date without injury.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I understood the gentleman from Illinois to make some reference to the fact that they had not a place to sleep or to eat there.

Mr. SABATH. That is what I said.

Mr. BYRNS of Tennessee. And that this was intended to provide additional accommodations for that purpose.

Mr. GOOD. If that is the case the amendment is surely subject to the point of order.

Mr. BYRNS of Tennessee. Is it not a fact that they made no estimate for any such purpose as that?

Mr. GOOD. There was absolutely no suggestion for anything of that kind. There was serious complaint with regard to some of these buildings. They do not have elevator facilities. There is an elevator shaft in one building, and I think two elevator shafts in another building and an elevator in one.

We have provided here funds to install an elevator in the other building. We have taken care of the things which we believe are essential, perhaps not so generously as we should, but I am satisfied that there is no use at this time of agreeing to any such amendment as this, unless the gentleman wants to build that sea wall with a granite face, costing \$250,000, to put in oil tanks costing \$100,000, and to fill one of the spaces between the buildings, estimated to cost \$100,000 more. Four hundred and fifty thousand dollars of the estimates have been eliminated.

Mr. SABATH. Mr. Chairman, I am not interested in building the granite sea wall, but I am interested in giving the people a larger number of beds and mattresses, so that when they are obliged to remain there for two or three days they will not be compelled to sleep on the floor, as has been charged by the House committee which has investigated conditions at Ellis Island during the summer months.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The Clerk read as follows:

#### IMMIGRATION SERVICE.

For enforcement of the laws regulating immigration of aliens into the United States, including the contract-labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof; necessary supplies, including exchange of typewriting machines, alterations, and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax and maintenance bills upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, \$3,000,000: *Provided*, That the purchase, use, maintenance, and operation of horse and motor vehicles required in the enforcement of the immigration and Chinese-exclusion laws outside of the District of Columbia may be contracted for and the cost thereof paid from the appropriation for the enforcement of those laws, under such terms and conditions as the Secretary of Labor may prescribe: *Provided further*, That not more than \$12,000 of the sum appropriated herein may be expended in the purchase and maintenance of such motor vehicles: *Provided further*, That the appropriation herein made for the enforcement of the immigration laws shall be available for carrying out the provisions of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, and acts amendatory thereof.

Mr. SIEGEL. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 148, line 13, strike out "\$3,000,000" and insert "\$3,500,000."

Mr. SIEGEL. Mr. Chairman, 87 per cent of all the immigrants arriving in America pass through Ellis Island. We have 1,800 employees for the entire service for the whole country. At Ellis Island we have just 300 of these 1,800 employees. The total number of inspectors on duty daily to examine the aliens arriving at Ellis Island and the ships' crews at the port of New York is 85. Up to six months ago we did not examine the crews. Eighteen thousand seamen, who arrive at the port of New York, have to be examined every week. The importance of examining these seamen is patent. Many arrived who deserted their ships and never returned to them. In that way they evaded the visé law or the immigration law. Examinations were, therefore, commenced of all these seamen on board these ships. This leaves practically only 42 inspectors to examine seventeen to eighteen thousand immigrants arriving weekly, and you ask these inspectors to do what? To examine the passports which have been viséed on the other side, to pass on the literacy tests of these aliens, to sit as special courts of inquiry, and to work seven days a week in very numerous cases for the great big sum of \$1,200 a year up to \$1,900 and \$2,000 a year.

What is the condition along the Canadian border? You have 76 ports of entry and 23 doctors to examine aliens who pro-

pose to come into America. Twelve million people are passing annually across that border. The condition on the Mexican border is far worse. The department is unable to keep the force that it had five years ago or three years ago or two years ago, and I will tell you why. Up in Montreal the few inspectors whom we have there can not get along on the money which we pay them, and they are compelled to accept meals gratuitously given by the railroad company. This morning I was called outside here by a young lady whose husband is our inspector at Quebec. He can not manage to get along there on account of the same conditions.

Let me illustrate the distinctions existing in treatment and pay of Government employees. In the same building in Montreal the United States Public Health doctor who examines the arriving immigrants receives board and lodging at the expense of the Government plus the regular salary given him. The immigrant inspector is supposed to live on the munificent sum of \$1,400 a year. Complaint is made that we can not retain competent men to enforce the immigration laws. You never will be able to enforce present or future immigration laws unless you provide a sufficient force and give the employees of that service a living salary. Mr. Chairman, because I believe in the enforcement of the laws as we pass them, I am asking for this increase from \$3,000,000 to \$3,500,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIEGEL. I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUSTED. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. HUSTED. Under the gentleman's amendment, would the inspectors actually obtain any more salary? The only effect of it would be to provide for more inspectors.

Mr. SIEGEL. It would have a double effect. It would remedy this disgraceful condition which I found in Canada and which the House committee found at Ellis Island and at the other places. I will add that the House committee is unanimous in stating what these conditions are; it is not merely my own views.

Mr. HUSTED. Are not the salaries fixed by law?

Mr. SIEGEL. No; they are not. If we were to proceed and provide that the inspectors shall receive a certain amount and that there shall be so many inspectors, then the men who have been in the service 18, 20, and more years would know what the increased amount would be. We have not got such a budget system, however. We appropriate a lump sum and go to work and say that Ellis Island, where 87 per cent of all the arrivals come, shall have one-sixth of the entire force of men. A few moments ago there was some discussion here in regard to these conditions. If you could have seen the ceiling practically falling in, rooms which have not been painted for years; if you knew that there was not a towel for a single immigrant, and you do not even provide paper towels of any description whatever for the immigrant, you would wake up to what the conditions are. They speak of the amount of money coming in from immigration. Yes. Immigration more than pays for itself. Immigration has paid more than \$5,000,000 during the last nine years above all the appropriations which Congress has made, and this Congress and no future Congress should try to make a revenue proposition out of immigrants coming into America. Yesterday before the Senate Immigration Committee the commissioner at New York, Mr. Wallis, described conditions at the island. He frankly confessed that unless he got an additional appropriation, unless something was done to retain the men who knew the work, you might say the men who guard America against anarchists and criminals who may desire to come in, men who are trained in determining swiftly who comes within the law and who does not, his whole machinery would fall and break down. And when he understood that \$3,000,000 was the total amount estimated for the whole country he said, "You might as well get ready for some one else to take control and run things at the island."

At this very moment on account of the lack of inspectors you have ships in New York having thousands of passengers kept in the bay. I say it is unfair to the inspectors and other employees to work seven days a week, and it is unjust to work them 12 hours a day on the kind of a salary which we pay.

Mr. BLANTON. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. BLANTON. If the Senate will pass that bill which they have had for such a long time we would not need so much of this.



Mr. SIEGEL. Yes, we would. I say unless you have more help we will be unable to properly guard the Canadian border. Why, it is the easiest thing in the world to slip across that border, and what is more, it is not taken seriously. A smuggler who was indicted the other day for bringing a number of people across the border was brought to trial and was fined \$25 and sent to jail for five days. I am pointing out these things here to-day because it is only right and proper that the Nation at large may know where the responsibility lies. Congress should not complain about conditions if it neglects to act. Congress should not be overcritical and expect too much without providing the machinery and dealing fairly and squarely with the men who have been in the Government employ for 25, 30, and 35 years. [Applause.]

Mr. GOOD. Mr. Chairman, the situation with reference to this appropriation is this: For a number of years there was appropriated about \$2,450,000. This year there was an appropriation of \$2,600,000, and on December 1 they had expended a little more than one-half that amount. The committee therefore thought it was wise at the present rate of expenditure to increase the appropriation, and we have recommended an increase of \$400,000 for this service. Now, the gentleman says they propose to patrol the Canadian border. We now have 225 inspectors patrolling the Canadian border, and it is only proposed to add 50 additional inspectors to patrol that border, and they can do that with the increase granted. It is proposed, however, greatly to increase the salaries of this force. That may be necessary. I stated the other day that in all services there was a demand for increase in salaries and increase in wages.

Mr. SIEGEL. Will the gentleman yield?

Mr. GOOD. I did not bother the gentleman. I have only five minutes, and I hope to conclude in that time.

Mr. SIEGEL. Will the gentleman yield?

Mr. GOOD. I will.

Mr. SIEGEL. Will the gentleman kindly tell why a separate budget is not proposed to be carried out for Ellis Island, where 87 per cent of all immigrants arrive, when even under this amendment of \$3,000,000 they will not add a single—

Mr. GOOD. The gentleman knows why it is not. The gentleman is on the committee which can provide by law what the salaries shall be and what the appropriation shall be for an immigration station. It is within the province of the committee to bring in that kind of legislation.

What we have done here is to appropriate so that we can compare the appropriations and expenditures with the previous year. This year we are increasing the appropriation \$400,000. The gentleman complains about this. The bill also carries a provision out of which it is proposed to take in a lump sum \$100,000 from the Health Service and use it for the Immigration Service. So next year they will have \$3,100,000 for the service. I submit to the membership of this committee, if we do this, we should give an increase to all the Government employees in the small cities of the country as well in all parts of the country, and that we do not limit the increase to Ellis Island alone. If we were going to make an increase, let the committee of the House that has jurisdiction of the subject bring in a legislative bill readjusting the salaries in the Immigration Service and every other service, so that men who are employed in the North and the South, in the East as well as the West, will have their salaries measured by the same yardstick. When we came to this service we did what we had done with every other service, which was to provide for additional service where needed, but not for increases of salaries. More than that, I think it is unquestionably true there will be legislation, and there ought to be legislation, shutting off some of this immigration that is pouring into the country. [Applause.] And if we have that kind of legislation, if we have the kind of legislation that is needed, the amount we have given here is ample to administer this great service.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent that the gentleman have five more minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Iowa may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none. Does the gentleman from Iowa [Mr. Good] yield?

Mr. GOOD. I do.

Mr. SIEGEL. I want to know if the gentleman knows of any other service in the country where men are working seven days in the week with the hours that these men are working?

Mr. GOOD. Oh, yes. I know of no service that is conducted by individuals or corporations in the country where the hours of service are as short as in the Government service, if that is what the gentleman wants to know.

Mr. SIEGEL. As to the hours in the Government service, I want to call the gentleman's attention to the fact that these clerks, stenographers, and inspectors are working seven days in the week and 12 hours a day.

Mr. GOOD. On the Canadian border?

Mr. SIEGEL. On the Canadian border and at Ellis Island. They are entitled not only to an increase but they should work only six days a week.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee if in the event of the passage of this amendment could any portion of the amount be used for the purpose of increasing the salary of some of these inspectors?

Mr. GOOD. Oh, yes; that is what was asked for. That is the reason the gentleman is offering it. He says it is to correct the deplorable condition with regard to the service, and that is what was understood when the estimate was under consideration, a very large increase.

Mr. SIEGEL. There are two reasons for it, one to increase the inspectors, which you have got to have immediately, and the other is to increase the salary of simply a few men, and relieve conditions that now exist.

Mr. NEWTON of Minnesota. And this question also. The committee increased the current appropriation \$400,000?

Mr. GOOD. It did.

Mr. NEWTON of Minnesota. Is it proposed by those in charge to use any part of that for increasing the force at Ellis Island?

Mr. GOOD. That was the object of the committee, namely, not to increase the salary but to give them the increased force necessary to take care of the service.

Mr. NEWTON of Minnesota. Mr. Chairman, I find myself agreeing in great measure with the gentleman from New York [Mr. SIEGEL]. It was my privilege some few days ago to visit Ellis Island and to spend two days there. I never have seen a more conscientious, hard-working lot of Government employees than the employees at Ellis Island and in the barge office at the Battery. I know from my own observation something of the number of hours they repeatedly spend there under the new régime. I was told that men in the Customs Service, for example, when it is necessary to stay on board a ship to complete the examination long after the customary day's work is done, are permitted overtime allowance, to be paid by the steamship companies through the Government to the customs employees. I was told, also, that right alongside of the customs employees immigration inspectors will be found working in order to clear the ship. This is for the benefit of the immigrants and the steamship companies. Not one of the immigration inspectors is permitted this additional pay. Now, it seems to me that is wholly unjust, and that there is much that can be said for the position of the gentleman from New York in reference to the way the Immigration Service has been treated.

I went out into the bay and boarded an incoming liner and watched our inspectors, the medical and immigration inspectors, examine the immigrants as they filed into the room from the first and second cabins. I know how efficiently they tried to do their work, how conscientious and humane they were in the treatment of those immigrants. I later saw steerage passengers examined on the island. One thousand two hundred dollars a year to \$2,000 a year is certainly not enough for men in that kind of Government service who have to live in the city of New York. It is outrageous that we should ask men to do that kind of work at the pay they receive. I marvel at their efficiency.

On account of the very few men employed and that are available in the physical examination of the second cabin on board ship and of the steerage at the island, they put the immigrants through just like that [indicating]. Now, they are all skilled, and, considering the speed with which they must work, they make a minimum of mistakes. With the time allowed them, I do not see how they can make a more efficient examination. And I believe that if the emergency immigration bill is not passed during this Congress we will have to increase materially the appropriation for the Immigration Service.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. SNELL. Are there very many of these men who are receiving only \$1,200 a year?

Mr. NEWTON of Minnesota. I was told there were several hundred employees there on the island.

Mr. SNELL. I understand there are only 300.

Mr. SIEGEL. If the gentleman will permit, there are 85 inspectors there doing the work that years ago was done by the same number, 85. They have to do the same kind of work. Since the literacy test came in and the examinations and visés of passports additional work has been put upon them, and they have to examine all these crews now, which was not done six months ago.

Mr. SNELL. How much do these inspectors get?

Mr. SIEGEL. From \$1,200 up, and they work seven days a week.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BOX. Mr. Chairman, I find myself in full accord with the statement made by the gentleman from New York [Mr. SIEGEL] as to the inadequacy of the force of inspectors there. I, with other members of the committee, have given considerable attention to the conditions at Ellis Island. We have seen the work there. The force is inadequate. The work is not being properly done. They tell us they have not sufficient funds. I know that the public welfare requires that a proper inspection of immigrants be made.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BOX. Yes.

Mr. GOOD. Concerning these inspectors, about whom such a noise has been made, the gentleman is aware of the fact that there are 8 inspectors at \$4,500; there are a number of others at \$4,500 and at \$4,800; quite a number at from \$3,000 to \$3,500; there are 6 at \$3,000, 6 at \$2,800, 12 at \$2,500, 25 at \$2,400, 5 at \$2,340, 12 at \$2,220, 96 at \$1,980. They all get the bonus up to \$2,700, and there are very few that get less than \$1,200, and all of these get the bonus of \$240.

Mr. SNELL. How many of them get \$1,200?

Mr. GOOD. There are only 145 at present.

Mr. SNELL. I mean at Ellis Island and New York.

Mr. GOOD. These are not given in that way.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from New York?

Mr. BOX. I can not yield further at this time.

Answering to the questions propounded by the gentleman from Iowa [Mr. GOOD], I do not know about the salaries paid to individual members of that force, but I, with other members of the committee, saw them at work. We saw that there were not enough men there to do the work. We learned from many sources that they worked long hours, seven days in the week. We were convinced—and I think the judgment was unanimous on the part of the committee—that the force is inadequate, and we also understood that many of them were not sufficiently paid. I think there is no mistake about it.

Mr. GOOD. Mr. Chairman, will the gentleman yield again?

Mr. BOX. Yes.

Mr. GOOD. I was mistaken. In looking through the estimates I find the lowest salary paid to inspectors is \$1,380, who get, with the bonus, \$1,620.

Mr. SIEGEL. The inspectors in charge that the gentleman from Iowa mentioned are scattered through the various cities of the country and on the Mexican and Canadian borders. They are called "inspectors in charge."

Mr. GOOD. Those are not inspectors in charge. The \$2,500 and \$3,000 inspectors are.

Mr. SIEGEL. They are in charge at a particular place, because we have all those places of entry in the United States. But at Ellis Island—and I am referring particularly to Ellis Island—the gentleman can not point out inspectors in charge. We have a Commissioner of Immigration at Ellis Island, who is receiving \$6,000 a year. Some of these inspectors do not do one-fiftieth of the work that is done by the inspectors at Ellis Island. Eighty per cent of all the aliens that come to this country are handled there by 85 inspectors.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BOX. Mr. Chairman, I ask unanimous consent that I may have three additional minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BOX. The matter which concerns the Committee on Immigration and Naturalization, and especially that which concerns me in this connection, is the fact that the force is inadequate, that they work 7 days in the week and 12 hours in a day, and all the evidence and the facts disclosed by a personal inspection there during several visits indicated that this very important business, affecting the welfare of the whole country,

is not receiving proper attention and is not being provided for as it should be.

I do not know exactly where the fault lies. I usually vote for a policy of the strictest economy, but I hope the Congress will make the necessary provision for Ellis Island and other places like it, and thereby secure proper protection against the incoming of people who should be kept out.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. BOX. Yes.

Mr. CANNON. Is the gentleman a member of the Committee on Immigration?

Mr. BOX. Yes.

Mr. CANNON. Has that committee reported legislation or asked for legislation by bill for consideration fixing the salaries of these inspectors?

Mr. BOX. Not within the knowledge of the gentleman from Texas.

Mr. CANNON. Very well, then. In a great committee like this, where there is contradiction back and forth, can you fix with certainty how much they ought to have, when the committee having jurisdiction has not reported a bill fixing the salaries?

Mr. BOX. The gentleman from Texas is not a member of the party controlling the committee.

Mr. CANNON. Oh, well, he is on the committee and favors this legislation. It seems to me that the committee itself should say how many inspectors there should be, and what they should have at Ellis Island and along the Canadian and Mexican borders. They should say what they should have by legislation.

Mr. BOX. Without dealing with the details as to salaries, I think the gentleman from Texas has made himself plain that he is not concerned with the schedule of salaries paid individuals. The point which impresses me and to which I ask the serious attention of the Members of the House is the question of the inadequacy of the force, the time they have to work, and the kind of work they are thereby caused to do. I am sure every one of my colleagues on that committee knows, as I know, that the immigration inspection work at Ellis Island and other points is not being properly done. They tell us that it is because adequate provision is not made. [Applause.]

Mr. BYRNS of Tennessee. I move to strike out the last two words. Mr. Chairman, of course, if the House desires to increase this particular item in the bill by the sum of \$500,000 for the purpose of increasing the salaries of the inspectors, that is its privilege; but the Committee on Appropriations have endeavored to act consistently in these matters. We have refrained from increasing salaries, feeling that no salaries should be increased in the appropriation bills until after the Congress has considered the reclassification bill. [Applause.]

As was suggested a while ago, if the salaries of these inspectors are too low, then the committee which has legislative jurisdiction of this subject, the Committee on Immigration, should report a bill and have it considered in accordance with proper legislative procedure. As the gentleman from Iowa [Mr. GOOD] states, the committee have recommended an increase of \$400,000 in this item. The current appropriation under this head carries \$2,600,000. That item has been increased in this bill to \$3,000,000, or an increase of \$400,000, which, it should be stated, includes the former appropriation for deportation of anarchists; but which should be sufficient to take care of the objection urged by the gentleman from Texas [Mr. BOX] and others with reference to the inadequacy of the force, if there be such an inadequacy. But I wish to submit to you this proposition: This House passed a bill the other day which undertook to limit or practically to restrict immigration for a certain period of time. That bill is now pending in the Senate. If it passes that body and becomes a law, then I submit in all reason that the Government will not require that great force of inspectors to which the gentleman refers, and therefore I think this matter should be permitted to go over, and that we should wait and see just what the Senate is going to do with that immigration bill. But whether they pass it or not, I for my part want to protest against this attempted action here upon the floor of this House to increase the salaries of some of these inspectors by a lump-sum arrangement, giving the administrative authority the right to increase them without taking into consideration the salaries of other inspectors and other employees who are not increased in this bill, and estimates for whose increases were refused by the committee. I think we should be consistent in our action.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.



Mr. WILSON of Louisiana. I will ask the gentleman from Tennessee if this increase in this bill, of \$400,000, is for the purpose of increasing the force at Ellis Island?

Mr. BYRNS of Tennessee. Oh, no; it is not for the specific purpose of increasing the force at Ellis Island, but it is appropriated in a lump sum for the use of the Bureau of Immigration.

Mr. WILSON of Louisiana. Not for the purpose of increasing salaries?

Mr. BYRNS of Tennessee. This increase was allowed by the committee for the purpose of giving them an opportunity, if they saw fit, to increase their force. As a matter of fact, so far as their salaries are concerned, it has been stated that there is no man who receives less than \$1,380, and he receives, in addition, the \$240 bonus, and will receive it during the next fiscal year.

Mr. WILSON of Louisiana. Is it the understanding of the gentleman from Tennessee that the increase provided in the amendment of the gentleman from New York [Mr. SIEGEL] would be for the purpose of increasing salaries?

Mr. BYRNS of Tennessee. I do not know for what it might be used; but the gentleman from New York stated that he introduced it for that purpose, and I assume that it would be so used, because, of course, it would be available for that purpose if they saw fit to use it in that way.

Mr. WILSON of Louisiana. There is no question but what this additional force is needed at Ellis Island. If it is for the purpose of increasing the force, I am in favor of the amendment.

Mr. SABATH. Mr. Chairman, I do not agree with the gentleman from Tennessee [Mr. BYRNS] that the Committee on Immigration would have jurisdiction to bring in a bill providing for the salaries of the various employees in that department. He will remember that about 10 years ago the power was taken away from the committee as well as the separate fund which up to that time was used by the department to carry on the work at Ellis Island. In other words, up to 10 years ago the head tax collected at Ellis Island and other ports was permitted to be used by the Commissioner of Immigration for the purpose of defraying the expenses of that service; but in the Sixty-second Congress, by an amendment to an appropriation bill, that was changed, and the appropriative power was taken away from the Immigration Committee, and the department was required by the act to turn over the head tax to the general fund, and ever since the appropriations were made for the service by the Appropriation Committee. Since that time I believe that more than \$5,000,000 has been collected through the head tax over and above the amount expended by the Immigration Service. During the last four years there was no immigration, and consequently the amount appropriated was sufficient; but in the last six months—because prior to that, due to the war, the naturalized United States citizens have been unable to bring their families over to this country—immigration has increased, but the appropriation has not, and nothing has been done to enable the officials of Ellis Island to cope with the situation. I think it is manifestly unfair that we should make money out of these unfortunate men, women, and children who are coming to our shores. There should be no desire to make money out of them. The amount which we exact from them should be utilized to give them the proper accommodations and facilities when they arrive, so that they shall not be obliged to remain at Ellis Island for two or three days under the deplorable conditions that have been described by the committee.

Mr. Chairman, I am not interested in any of the employees, but I believe they have done their duty. Invariably when anyone asks for fair treatment of Government employees residing in New York or Chicago, some people are always ready to insinuate that those employees are being overpaid. Some gentlemen who live in the rural districts do not know that it costs from 50 to 100 per cent more to live in the large cities than it does to live in the country, and consequently they must of necessity receive larger compensation if they are expected to live, and not merely to exist.

It is not only because I believe that these men are entitled to fair compensation that I think this amendment should prevail. The main reason why I favor this amendment is because if we give the department a sufficient number of inspectors, examiners, and other needed help it will enable them to properly and efficiently enforce the present immigration laws. I am satisfied there would be no possible excuse for the present pending immigration legislation. I maintain that the present immigration laws are stringent enough and if proper inspection were had that no undesirables could possibly come into the United States. It is for that reason I am asking that this

amendment prevail, so that the department shall have a sum large enough to properly enforce the present laws.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. MAGEE rose.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MAGEE. Mr. Chairman, I move to strike out the last word in order to say that as a member of the subcommittee which drafted this bill I think that the committee has been eminently fair and reasonable in what it has done in respect to Ellis Island and in respect to the immigration stations and Immigration Service generally. It will be apparent to all that we could not go into the question of increasing salaries here and there. In the first place, we have no authority to do so, and, in the next place, it would not be just and equitable to the employees in the other departments. My observation has been that the poorest paid Government employees are the custodian employees who are paid from the appropriations made for the Treasury Department, and who work side by side in Federal buildings with other employees paid from appropriations for the Post Office Department who severally receive from five to seven hundred dollars per year more.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. MAGEE. Yes.

Mr. HUSTED. Will the gentleman state whether the committee in this appropriation made provision for increasing the force of inspectors?

Mr. MAGEE. That is the reason we appropriated an additional \$400,000.

Mr. HUSTED. It is intended by the committee that that shall be used to increase the number of these inspectors, so that there will be adequate provision made?

Mr. MAGEE. We endeavored to provide for reasonable increases to meet their demands. The other poorest-paid employees of the Government called to my attention are the employees of the National Training School for Boys. The custodian employees in Federal buildings and the employees of the National Training School for Boys are, in my judgment, discreditably underpaid. But we can not relieve them as members of the Committee on Appropriations. You have had a commission appointed on reclassification of salaries. That commission has made a report. The thing for Congress to do is to act reasonably, justly, and equitably on that report and readjust salaries. We can not do it.

So far as the upkeep of immigrant stations is concerned, numerous items were presented to the committee. Those items we may designate as A, B, and C, A comprising the items that are most pressing. We took up the most pressing items. On page 147 of the bill there is an appropriation for new service pumps for water supply, including installation, \$11,000.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. MAGEE. I have not the time. The gentleman, I think, misrepresented the attitude of the committee, and it is my intention to set the committee right. I am not going to stand for that from anybody. The committee has been fair and reasonable, and it deserves fair treatment. There is another item which we allowed, of the class A kind, for the renewal of plumbing equipment, Island No. 1, including installation, \$20,000. They claimed that this item is pressing, and we allowed it. Then there is the item for an elevator in the administration building, contagious diseases hospital group, including installation, \$12,500, which we allowed as a pressing item, and we gave them, as has been suggested, \$400,000 additional to take care of additional employees if they choose to get them.

I want to say to my colleagues in the House that, in my opinion, the committee has been fair, and it has done the best it could under the circumstances. Of course, all of these employees would like to get more money. I have not seen any employees in any department who are satisfied with the salaries which they are receiving. I do not believe the Government could satisfy them. If you increase their salaries to-day, they will be back here next year and demand further increases. That is human, and I do not complain about that; but the point I make is that the Committee on Appropriations can not go into this question of increasing salaries. That must be determined in some other way. You must treat all the employees in all these different departments alike. You can not increase the

salaries in one department and then pay no attention to the demands of the employees in some other department. You have the machinery with which to do it, and in my judgment Congress ought to act. I think that the employees of the Government ought to be reasonably paid, but the salaries of the different employees in the different departments should be fixed and determined along the lines of justice, fairness, and equality to all.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. SIEGEL) there were—ayes 21, noes 62.

So the amendment was rejected.

The Clerk read as follows:

Nothing in the proviso contained in the legislative, executive, and judicial appropriation act of March 3, 1917, relative to augmenting salaries of Government officials from outside sources shall prevent receiving reimbursements for services of immigration officials incident to the inspection of aliens in foreign contiguous territory, and such reimbursement shall be credited to the appropriation, "Expenses of regulating immigration."

Mr. SIEGEL. I agree with my able and distinguished colleague [Mr. MAGEE] that the salaries of all of the employees doing the same kind of work should be equalized, but Congress does not seem to think so because it passed a law by which the customs employees working side by side with the immigration employees may receive from the steamship companies an amount for overwork and overhours, and, therefore, despite what my colleague may say upon the subject, we have those two sets of employees working side by side receiving different kinds of salaries. I know that he is by temperament and judgment always endeavoring to do what is right and fair.

The Committee on Appropriations has been repeatedly urged to take a trip to New York and go over to Ellis Island and look over the buildings and see the conditions under which not only employees are compelled to work but the condition of the building in which we are keeping each night approximately 3,000 immigrants. That condition is aggravated and made worse by the fact that when so-called anarchists and those who might become a public charge are brought from all over the country for deportation, they are sent to Ellis Island and not to the other ports from which they might just as well be sent back to Europe. They occupy the space which they never should be permitted to occupy, and for which Ellis Island was never equipped.

On account of these indescribable conditions and because of the fact that inspectors do resign and get salaries of \$3,000, \$3,500, and \$4,000 a year from private concerns, such as occurred the other day in New York, we urge changes in this condition and will continue to urge them until Congress wakes up from the trance in which it appears to be. We are repeatedly told that the men who work in this service are receiving a decent living wage when such is not the fact. They are not receiving a decent living wage and you will lose the most competent men in the service, and by the action which we have taken to-day we are bound to lose those who have been in the service rendering a service which has been efficient and conscientious. They deserve the thanks of every good citizen who appreciates hard working, Government employees.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L., vol. 37, p. 738), and May 9, 1918 (Stat. L., vol. 40, pp. 542-548, inclusive), including not to exceed \$50,000 for personal services in the District of Columbia, and for their actual necessary traveling expenses while absent from their official stations, including street car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed \$13,400 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stat., p. 600), as amended by the act approved June 25, 1910 (36 Stat., p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpoenaed on behalf of the United States; the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, \$525,000: *Provided*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 150, line 25, after the word "prescribe" strike out "\$525,000" and insert "\$550,000."

Mr. SIEGEL. Mr. Chairman, the conditions in regard to naturalization in the city of New York, as far as providing sufficient efficient machinery for aliens to become either declarants or citizens, has reached a point where it is most highly deplorable. Only a week ago the clerk of the supreme court and of the county of New York had to announce that he had to shut down for over a week accepting applications, because the Government of the United States, through its Naturalization Bureau, had failed to provide sufficient money. The responsibility rests upon Congress and not upon that bureau, however. It may be of some interest to the House to learn what the Naturalization Bureau has been doing. Let me read the following statistics:

*Declarations of intention and petitions for naturalization filed in Greater New York during the fiscal year 1920.*

	Declara- tions.	Peti- tions.
United States district court, Brooklyn.....	3,534	2,098
Supreme court, Brooklyn.....	11,032	8,688
United States district court, New York City.....	8,745	4,271
Supreme court, Bronx County.....	6,460	5,000
Supreme court, New York County.....	28,202	12,124
Supreme court, Richmond County.....	58,023 612	32,241 355
	58,635	32,596

*Declarations of intention and petitions for naturalization filed in Greater New York for first quarter, fiscal year 1921.*

	Declara- tions.	Peti- tions.
United States district court, Brooklyn.....	879	500
Supreme court, Brooklyn.....	3,065	1,981
United States district court, New York.....	2,186	1,023
Supreme court, Bronx County.....	1,564	1,218
Supreme court, New York County.....	6,900	2,678
Supreme court, Richmond County.....	14,594 191	7,400 80
	14,785	7,480

*Declarations of intention and petitions for naturalization filed in Greater New York for first quarter, 1920.*

	Declara- tions.	Peti- tions.
United States district court, Brooklyn.....	609	401
Supreme court, Brooklyn.....	1,829	1,467
United States district court, New York.....	1,973	675
Supreme court, Bronx County.....	1,149	777
Supreme court, New York County.....	5,133	2,035
Supreme court, Richmond County.....	10,693 165	5,355 63
	10,858	5,418

*Declaration of intention and petitions for naturalization filed in United States during fiscal year 1920, exclusive of soldier petitions.*

Declarations of intention.....	300,106
Petitions for naturalization.....	106,925
Total filings.....	467,031

*Declaration of intention and petitions for naturalization filed in United States during fiscal year 1919, exclusive of soldier petitions.*

Declarations of intention.....	346,827
Petitions for naturalization.....	107,559
Total filings.....	454,386

*Recapitulation sheet.*

Declarations of intention filed in United States, fiscal year 1919.....	346,827
Petitions for naturalization filed in United States, fiscal year 1919.....	107,559
	454,386

Declarations of intention filed in United States, fiscal year 1920.....	300,106
Petitions for naturalization filed in United States, fiscal year 1920.....	106,925
	467,031



Declarations of intention filed in Greater New York during fiscal year 1920	58, 635
Petitions for naturalization filed in Greater New York during fiscal year 1920	32, 596
	91, 231
Declarations of intention filed in Greater New York during first quarter fiscal year 1921	14, 785
Petitions for naturalization filed in Greater New York during fiscal year 1921	7, 480
	22, 265

Now, I am asking for an increase here of \$25,000. This is another branch of the service which pays for itself. In other words, the Treasury has profited above all appropriations close to \$800,000. Now, it seems to me that it is useless for us here to complain that aliens are not becoming citizens and constantly condemn them when we do not provide sufficient clerks and judges for that purpose. Now, I am referring particularly to the problem as it is in New York City; the problem in other places probably can be adequately handled by the amount which is to be appropriated here, but the New York newspapers, in editorials and news columns, have repeatedly called attention to the condition which I am describing here. I would like the House to bear in mind also that when every additional person becomes a citizen \$4 additional goes into the Treasury of the United States. It is not a losing venture financially if we are to look at it from that angle, but we should look at it from a greater and bigger angle—namely, from the angle of incorporating into our citizenship those who desire and are fit to become citizens. I do not know of any more disgraceful sight than to see a large number of people who are applying either as declarants or for final papers being turned away and having to come back again and again because we do not provide sufficient clerks and judges. I recognize that there can not be permanent relief had in New York City until a distinct and separate court to deal exclusively with naturalization is provided for the metropolis. My amendment would help to relieve matters for the present.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SIEGEL. I will yield, with pleasure.

Mr. GREENE of Vermont. Are we to understand from the gentleman's very clear statement that immigration is coming in so fast it entails more clerical work than can be accomplished by the force now maintained?

Mr. SIEGEL. There is a difference between immigration and naturalization, as the two are managed by separate bureaus.

Mr. GREENE of Vermont. The gentleman did not make that distinction. But is it a fact that in New York City you have a great body of men who have enjoyed the privileges of this country for years without taking out their first papers?

Mr. SIEGEL. No; that is incorrect. This takes in all classes, people who have arrived in recent years and filed a declaration of intention and those who have filed applications for final papers—

Mr. GREENE of Vermont. Taking that statement with the other it means aliens or persons who have filed their intention papers are now seeking to complete or to begin the process of citizenship. Is it possible that Manhattan Island would have so many of these people that the clerks of the courts could not possibly handle them—

Mr. SIEGEL. The gentleman must remember that our judges are busy with other litigation. In addition, I refer simply to New York City, which means 6,000,000 of people, or one-seventeenth of the country.

Mr. GREENE of Vermont. Is there such an enormous population in that situation now applying for citizenship that the ordinary clerical service of the courts can not accommodate them?

Mr. SIEGEL. Yes; the truth of the matter is this complaint has been going on for several years. During the war period we naturalized a large number of men from New York City and other places in camps and which the courts of New York did not handle. This condition of affairs is not new. It is useless to urge alien men and women to become American citizens when Members in Congress, who know the necessity for additional clerks and judges, can not get favorable action by an additional appropriation of the small sum of \$25,000. To say the least, it is highly discouraging to those who are doing their utmost to have men and women become real American citizens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment. I will say to the gentleman from New York that an increase of \$25,000 would do very little toward improving the naturalization situation in the courts of New

York City, and before that can be done, in my judgment, some legislation will have to be enacted—a bill will have to be brought in by the Committee on Immigration. This is a very deplorable situation. While on a trip to Ellis Island I sat in one division of the Supreme Court of New York on what was known as naturalization day, and I saw there 126 final judgments rendered in naturalization cases in 94 minutes.

Here is a man receiving the most important judgment that can be rendered in his favor, one making him an American citizen, in less than one minute, and that which should be a solemn judicial process becomes a farce.

Mr. HUSTED. Is it not fair to say that a very thorough investigation of all the circumstances of each individual case has been made by an official duly appointed for that purpose before these men come into court?

Mr. WILSON of Louisiana. That investigation is supposed to have been made, but the facts developed through this proceeding convinced me that it had not been thorough. And, besides that, this process of naturalization ought to be something more like a solemn court proceeding. The applicants file in, the witnesses that are necessary are with them, and often judgment is rendered before they are through with the witnesses. The court was doing the best it could under the circumstances, but I do not believe that can be remedied until additional naturalization courts are established at the central points, like Chicago, New York, and other places where there are large numbers to be naturalized.

Mr. BLANTON. I will state to the gentleman that I have had a good deal of experience in trying naturalization cases in my own State, and although the preliminary examination would show the applicant could speak the English language and understood our institutions, I found on examination they did not understand the English language and did not know what a single institution of this Government meant to them.

Mr. WILSON of Louisiana. The situation in New York is that the courts are overwhelmed, and it is impossible for a judge to even make any kind of an investigation as to whether the examination by the inspectors has been thorough.

Mr. GREENE of Vermont. Does that indicate to you anything with regard to the rate with which people were coming into the country originally? Is there not sometimes a back up and fill that we are trying to get rid of that shows that there has been an undue immigration?

Mr. WILSON of Louisiana. I do not think there is any question, but there is, too, a greater volume of immigrants coming into this country now, and that for a number of years such has been the case. That is a question the House has acted upon, and the bill is now in the Senate. But this question of naturalization is one of great importance, and I do not believe it can be handled until there is some comprehensive legislation upon the question.

Mr. CALDWELL. Has the gentleman compared the number of people going away from the country with the number going away before the war?

Mr. WILSON of Louisiana. Yes; I have made the comparison. I was not discussing the question of immigration, but the question of naturalization. That situation is very serious, and I do not believe \$25,000 will add anything to the efficiency of that service.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BOX. Mr. Chairman, relative to the naturalization branch of the work done in New York, I wish to concur in the opinion expressed by my colleague on the committee, the gentleman from Louisiana [Mr. Wilson]. In line with the remarks made by him as to the manner in which aliens are naturalized or granted the rights of citizenship, a personal observation of that work, coupled with an investigation of the matter inquired about by the gentleman from New York [Mr. Husted], will convince any thoughtful citizen that the work is not being properly done. When I saw those 125 men and the 250 witnesses accompanying them march past the judge in 90 minutes I saw that no investigation was being made, or, at least, no substantial one. My hope then turned to the investigation that had been made prior to that. I went to the naturalization offices and talked with the inspectors. I went into the extent of their investigation, and found that the gentleman from

Louisiana does not overstate the case when he says that that is wholly insufficient.

Often the applicant reports to the naturalization officer, brings two witnesses, and the most formal inquiry is made, a very brief one—something almost as brief as that in the court. The naturalization rooms are crowded. There is not sufficient room for men to sit. A perfect throng keeps coming, there is disorder, lack of dignity, and a lack of thoroughness. Everything speaks of haste and a disregard of the importance of that solemn proceeding. The oath is administered in a hurried, muttered whisper that few understand and apparently nobody takes seriously.

Mr. CHINDBLOM. Is not that due mostly to the manner in which the law is administered by the officers of the Government rather than in the law itself? I have seen the law administered in a manner that made it impressive and where it was a thorough examination.

Mr. BOX. The gentleman is perhaps correct about that. I have had connection with some such cases myself. I am speaking particularly of the situation as it exists in New York, and so far as my limited study and observation have gone there is a breakdown there, due partly, perhaps chiefly, to congested conditions and partly to a general disposition to regard the whole matter slightly. The force of inspectors is insufficient and the number of men to be investigated is too large. The work can not be properly done when ten times as much of it is being offered as can be performed by the force available. Then, I fear few concerned take the situation or proceeding seriously. I am afraid the aliens acquiring the rights of citizenship do not. I fear the officers administering the law do not. It does not appear that the Congress realizes the magnitude or the importance of the work. I wish I could feel that the American people knew the situation and realized what momentous issues depend on what is now so lightly regarded.

I am inclined to think that an increase of \$25,000 in the appropriation, without a realization of the seriousness of the situation and a corresponding resolution to correct it, would do no good. Whatever Congress may do with the proposition now before the House, I sincerely hope that Congress will give its attention to two things: First, to an arrangement providing for the proper inspection of immigrants upon their admission. It is not now being done, and no Member of this House will think so when he observes it. And, next, the proceeding by which men are granted the rights of citizenship, including the preliminary investigation inquired about, is almost a farce. It is formal; it is perfunctory; it is hasty; it is not at all in keeping with the very great importance of what is involved. [Applause.]

Mr. SABATH. Mr. Chairman, I am obliged to admit that it is absolutely impossible for the department to carry out such investigation that might meet with the approval of the gentleman from Texas [Mr. Box] or the gentleman from Louisiana [Mr. Wilson]. But that is not the fault of the department. I know that in the city of Chicago and in the entire district the officials there do investigate and examine every applicant, but it is absolutely impossible, with the few inspectors and examiners which they have, to give each and every applicant such investigation and examination that they should have. Nevertheless they are endeavoring to do the best they can. I believe the committee has erred again in cutting down the appropriation requested by the department.

Mr. Chairman, let me read the statement of Mr. Shoemaker in the hearings at the time he testified before the Appropriation Committee, when he urged that the appropriation for that bureau should be increased:

During the fiscal year there were 166,925 civilian petitions filed in the various courts throughout the country. That is an increase of approximately 65 per cent over the civilian petitions filed in the preceding year, which totaled 107,000. That does not include the soldiers or the cases where alien soldiers in the Army were naturalized under the act of May, 1918. There were over 51,000 of those certificates issued to alien soldiers, from the figures I have been able to obtain. There was an increase this year in the filing of petitions anywhere from 20 to 36 per cent.

Mr. Chairman, this will disprove the charge that the aliens do not desire to become American citizens. They do desire to become American citizens, and when they go day by day into our courts and plead that they should be admitted to citizenship, they are obliged to come there with their witnesses twice and three times, and four times even, before an opportunity is given them to be heard.

I think it is manifestly unfair that we should profit or make money out of these applicants. I think that the fees that are being collected are sufficiently large to warrant this House in being liberal and appropriating the funds needed to properly investigate and examine and naturalize these aliens who are very anxious and desirous to become American citizens.

Now, as to the legislation, the gentleman from Louisiana [Mr. Wilson] knows that we have prepared a bill, a naturalization bill, which is now on the calendar. It has been amended, and I believe the committee will have a chance and opportunity to bring it on the floor of the House and pass it; and if we do so, as I expect we will, it will be absolutely necessary to have additional help to eliminate these deplorable conditions that exist in the large cities in order that an opportunity may be given these men to become American citizens. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOOD. Mr. Chairman, the amount usually appropriated before for this service was from \$250,000 to \$275,000 for a number of years. This year we have recommended \$525,000. Here again there was a demand for increased pay, and there was a demand for a service that I think Congress ought to pass upon and upon which there ought to be legislation that more clearly defines the right to carry on educational work. I doubt the wisdom of the National Government carrying on schools at various places, stuffing people overnight in order that they can pass the examinations and become citizens. At least before I want to vote for a large appropriation for that purpose I would want to hear the discussion on the legislative need of it.

Now, what are the facts? When the officer came before us he said, "We are running within our appropriation this year." They have all the money that is necessary. If they are slowing down, it is not because they do not have sufficient funds. The officer who came asking for an increase in the appropriation said they were running within their appropriation, and they have had \$525,000 for this service this year, and we have given them the same amount in the bill for the next year, which, it seems to me, is liberal. Until we enlarge the scope of that work, if Congress desires to enlarge that scope, I think it is ample, and therefore I hope that the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SIEGEL].

The question being taken; on a division (demanded by Mr. SIEGEL) there were—ayes 5, noes 36.

Accordingly the amendment was rejected.

The Clerk read as follows:

#### UNITED STATES HOUSING CORPORATION.

Salaries: For officers, clerks, and other employees in the District of Columbia necessary to collect and account for the receipts from the sale of properties and the receipts from the operation of unsold properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Department of Labor, and to collect the amounts advanced to transportation facilities and others, \$70,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$5,000 per annum, and only one person may be employed at that rate.

Mr. BLANTON. Mr. Chairman, I move to strike out the figures "\$70,000" in line 12, page 151.

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 151, line 12, strike out "\$70,000."

Mr. BLANTON. Mr. Chairman, during the last session of this Congress this House passed a bill to wind up the business of the Housing Corporation. At that time the gentleman from Kentucky [Mr. LANGLEY] filed a report reciting that all that this institution had been doing lately was to raise salaries, and cited one it raised from \$5,000 to \$9,996 a year. That bill passed the House and went to the Senate, where no action was taken upon it. The Senate, however, passed a similar measure, practically identical with the House bill so far as winding up the business of the United States Housing Corporation was concerned, and stopping the expense of it. That measure came to the House, but the House has never done anything with it. So we find the House and the Senate practically agreed in trying to wind up the business of this Housing Corporation, and each passing a bill of its own to do so, and yet no agreement reached between the two, and the extravagant Housing Corporation still exists. In the face of this we find the Committee on Appropriations providing for \$1,040,000 more expense for this Housing Corporation for the next fiscal year.

In other words, they recommend appropriations amounting to \$70,000, \$15,000, \$10,000, \$35,000, \$960,000, and \$10,000, making a total of \$1,040,000. The committee seem to have been almost as extravagant in their computation as the Housing Corporation has been in spending money, because in computing these sums they have made an error of \$60,000 by saying, "in all, \$1,100,000"; when, as a matter of fact, all of the items aggregate a total of only \$1,040,000. The proviso in this paragraph seeks to limit the highest salary to be paid to \$5,000 and



states that only one such salary shall be paid. Well, why make that limitation unless they go further, because under the same authority that has been exercised heretofore by this Housing Corporation they could raise the salary of every other employee up to \$4,999 under the provisions of this act, and it is shown that they have done such things heretofore, because in the report filed by the gentleman from Kentucky [Mr. LANGLEY] on the 30th day of July, 1919, committee report No. 181, it is shown that this Housing Corporation raised the salary of H. M. Webster from \$5,000 a year at one fell swoop to \$9,996 a year.

Mr. GOOD. Not out of this appropriation.

Mr. BLANTON. But out of other appropriations; and if they can do it out of one appropriation they can carry on the same kind of procedure in another appropriation to which they have access. That is the reason I want to call your attention to the fact that it is a continual waste to keep up this matter. Why on earth can we not get rid of it if we want to do it? The House has voted to get rid of it, the Senate has voted to get rid of it, and yet we permit it to go on year after year. We continue to appropriate \$1,000,000 for handling this business. I think if gentlemen are going to carry out their promises they should get rid of this institution and save this million dollars annually for the people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. BLANTON. I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman's amendment is not a pro forma amendment. It is a substantive amendment.

Mr. BLANTON. I ask unanimous consent to withdraw my amendment. It was intended as a pro forma amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Is there objection? There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Washington, D. C., Government hotel for Government workers: For maintenance, operation, and management of the hotel and restaurants therein, including replacement of equipment, personal services, and printing, \$960,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$5,000 per annum, and only one person may be employed at that rate.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee what revenues have been received from these Government hotels for Government workers during the last year, if he knows.

Mr. GOOD. The receipts will a little more than equal the expenses. It was necessary a while back to increase the charges, and now, because of a decline in the cost of supplies, they have reduced the price and the hotel is running a little ahead of the actual expenditure.

Mr. CHINDBLOM. That is, of this sum of \$910,000?

Mr. GOOD. Yes.

Mr. CHINDBLOM. Of course, it does not cover the overhead expense?

Mr. GOOD. Yes; it covers everything but a return on the investment. I think the Committee on Public Buildings and Grounds brought in a resolution providing that it should not be run at a profit, and the receipts are just about enough to pay the expenses.

Mr. MacGREGOR. According to the testimony it was costing them \$100,000 more than the income.

Mr. CHINDBLOM. Of course, that is immaterial in a big Government affair.

Mr. GOOD. That was not the testimony.

Mr. MacGREGOR. Why is it necessary to have so many employees—500 employees to take care of 1,875 occupants of these houses over there?

Mr. SIEGEL. That is not many in comparison with other hotels with which the gentleman is familiar. [Laughter.]

Mr. GOOD. We are trying to get rid of these hotels and trying to get rid of all these Government activities of this kind.

Mr. MacGREGOR. One person to take care of three people.

Mr. GOOD. The committee called attention to that fact and criticized it, and I understand they have made a change in the management. How much they are increasing the efficiency there and reducing the cost I can not state, except they said that they had been running behind and had run behind at one time about \$100,000—and the gentleman is correct in that respect—but they have increased the rates enough to make that up, and they say that with that increase of rates they are able to break even.

Mr. CAMPBELL of Kansas. After all, does not the gentleman think that this experiment has been worth about what it

has cost, for it shows that even in running a hotel the Government can not do it as economically as a private individual?

Mr. GOOD. Yes; I think it was worth something to explode that socialistic dream.

Mr. CAMPBELL of Kansas. It takes 500 employees to accommodate 1,800 guests.

Mr. FESS. Can not we safely reduce that number?

Mr. GOOD. If they can reduce it, then, of course, there would be a corresponding reduction in the charges down there. A year or two ago we had to appropriate a large sum for a deficiency for this very hotel, and we criticized the large number of employees. I think the criticism was beneficial in bringing about some reduction.

Mr. BROOKS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BROOKS of Illinois. Down by the navy yard we have about 14 buildings equipped with a splendid restaurant, all equipped. What is being done with those?

Mr. GOOD. I supposed that those had been sold. At least they attempted to sell them. They are not operating and never have operated that restaurant.

Mr. BLANTON. And they never have had an occupant in them since they were built.

Mr. GOOD. No; they were not completed when the armistice was signed.

Mr. MacGREGOR. They sold the furniture and then refurnished them.

Mr. GOOD. They did some foolish things, but I do not think they did that.

Mr. BROOKS of Illinois. Yes, they did.

Mr. GOOD. We wanted to close this hotel, but there was a great deal of criticism on behalf of a good many good women throughout the country, and I understand that the department decided that the hotel should be continued for the present.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. CHINDBLOM] has expired. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Maintenance, unsold property: To maintain and repair houses, buildings, and improvements which are unsold, \$10,000.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Miscellaneous expenses account of property sold: To pay taxes, fire insurance, special assessments, and other utility, municipal, State, and county charges or assessments unpaid by purchasers and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceedings, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, \$20,000.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify the amendment by striking out the words "fire insurance," which were inadvertently inserted.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to modify his amendment in the manner indicated. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, this item is offered to recover several hundred thousands of dollars that can be recovered by making this change in the law. It is subject to a point of order. Nobody has made it, and I shall not raise the point myself that the point of order comes too late if it be now made. I think I ought to bring this matter before the committee. The situation is this: During the war the Housing Corporation was authorized to use a part of the \$60,000,000 appropriated for housing to extend street railway lines, electric lines, and to extend sewers, gas mains, water mains, and everything of that kind. There was a great deal of extension of sewers and of water mains and gas mains, under a contract with certain cities, that the cities would pay the amount back. Property was acquired by the United States Housing Corporation, and in a great many instances the cities commenced to levy taxes on such property. It is true that they have no right to levy taxes on property belonging to the United States, even though the legal title be in a corporation, but the cities now refuse to take over the water mains and the sewers and gas mains in which we have a very large investment unless the Government pays the taxes that have been assessed. In one case the investment for sewers, and so forth, is very large, whereas the taxes amount to only a few thousand dollars. By paying the taxes in the settlement we will make a large collection of a questionable asset. It seemed to the committee that by permitting the payment of these taxes, which, as I recall, amount

in all to less than \$50,000, scattered throughout many cities, the Government can recoup something over a million dollars. Therefore it seemed that we ought to bring the matter before the Committee of the Whole and let that committee decide.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARD. What is the amount carried in the amendment proposed by the gentleman?

Mr. GOOD. Twenty thousand dollars. I think the Housing Corporation did a very foolish thing. For example, in my State where they had some houses at or near Davenport, they sold the properties on a basis of a cash payment of 10 per cent and took a mortgage, but parted with possession to the title. Under the laws of Iowa it is very difficult to dispossess a person in a foreclosure proceeding respecting real property for a period of much less than three years, and usually more time is required. Before the deeds can pass the court costs must be paid, and this is to take care of instances of that kind.

Mr. GARD. I gathered from the reading of the amendment that this had to do with certain expenses for foreclosing mortgages and things of that kind.

Mr. GOOD. Yes; largely sheriff and court costs in foreclosure proceedings, where the Government foreclosed mortgages.

Mr. GARD. I was wondering if that was not taken care of in the first paragraph where \$70,000 is appropriated for salaries of officers and clerks and employees.

Mr. GOOD. That is for the District of Columbia expenses.

Mr. GARD. Oh, this is for property outside of the District.

Mr. GOOD. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The appropriations made herein under the title "United States Housing Corporation" shall be available for expenditure by the agency or agencies of the public service having jurisdiction of the affairs of the said corporation:

In all, \$1,100,000: *Provided*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the Clerk be instructed to correct—

The CHAIRMAN. The Clerk has already been authorized to correct all totals.

Mr. BLANTON. The total here is incorrect.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### EMPLOYMENT SERVICE.

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, supplies and equipment, telegraph and telephone service, and printing and binding, \$250,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is unauthorized by law, and it is new legislation.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. GOOD. I realize what has been done in regard to a similar item, but the language has been recast, and I want to call the attention of the Chair to the language, stated briefly, of the act creating the Department of Labor where it provides, among other things:

The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States; to improve their working conditions; to advance their opportunities for profitable employment.

The language of this section provides:

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States; to improve their working conditions; to advance their opportunities for profitable employment by maintaining a national system of employment offices; and to coordinate the public employment offices—

And so forth.

I realize there is some question in regard to cooperation with States and State institutions and other employment offices throughout the country. It is a question that was passed upon by the gentleman from Tennessee [Mr. GARRETT] two years ago,

but the language has been changed since that time. The committee a year ago, in framing this language, tried to bring the matter within the provisions of the act creating the department.

Mr. HUMPHREYS. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. HUMPHREYS. Does the gentleman think there is no limitation on the power to appropriate at all, that any appropriation would be in order just so it was preceded by the words of the organic act? Now, this provides for sending men down in the various States, establish offices down there, gather up information, gather up the employees, and send them from one State to the other.

Mr. GOOD. We do that under this act. For instance, the department collects information with regard to prices, and so forth, and that is all hinged on the provision of the organic act. The Department of Labor has a good many men traveling over the country, more of them, I think, in all the departments than we ought to have. I am largely in sympathy with the gentleman, but this amount of \$250,000 is a reduction of the amount asked, because the committee did not feel that we could grant the appropriation asked for, that that would be clearly subject to the point of order, but that possibly this would get by.

Mr. HUMPHREYS. Why would the \$14,000,000 asked for some years ago—

Mr. GOOD. A couple of years ago.

Mr. HUMPHREYS. Be subject to a point of order any more than \$250,000?

Mr. GOOD. Well, there was a scheme then much broader than this, and held out of order by the Chair. We tried to narrow it both in scope and in the amount carried in the bill.

Mr. BLANTON. Mr. Chairman, I am sure the Chair will pay some attention to the precedents of the House. The Chair will remember three years ago—

The CHAIRMAN. The Chair is ready to rule.

Mr. BLANTON. When practically the same amendment was offered, the same provision was offered by the gentleman from Massachusetts [Mr. GALLIVAN] in practically the same language—

The CHAIRMAN. To save the time of the committee, the Chair is ready to rule.

Mr. GALLIVAN. Did I understand the Chair was ready to rule?

The CHAIRMAN. The Chair is ready to rule.

Mr. GALLIVAN. With a very short debate?

The CHAIRMAN. Does the gentleman desire to be heard against the point of order?

Mr. GALLIVAN. Not if the Chair is ready to rule; not if the Chair has made up his mind. I do not want to take up the time of any man, but the Chair has made up his mind pretty quickly.

Mr. BLANTON. He is a parliamentarian.

The CHAIRMAN. The Chair appreciates that some points of order can be determined a little quicker than others, especially when the precedents are immediately at hand and the Chair has had his attention directed to the fact that this identical language was in the bill which was under consideration on the 11th day of May, 1920, when the gentleman from Minnesota [Mr. ANDERSON] was Chairman of the committee and a point of order was made. The point of order was sustained on the ground that the language of the paragraph went beyond the authority of the act creating the Department of Labor, and that previously a similar paragraph, somewhat broader in scope, however, was included in a bill under consideration in a previous Congress and was held out of order by the gentleman from Tennessee [Mr. GARRETT], at that time Chairman of the Committee of the Whole House on the state of the Union, and in view of those precedents the Chair sustains the point of order.

Mr. GALLIVAN. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Massachusetts moves that the committee do now rise.

The question was taken, and the Chair announced the yeas seemed to have it.

On a division (demanded by Mr. GALLIVAN) there were—ayes 4, noes 52.

So the motion was rejected.

Mr. GALLIVAN. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman makes the point of order there is no quorum present. The Chair will count. [After counting.] Eighty-one Members are present, not a quorum.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.



Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15422, the sundry civil appropriation bill, had come to no resolution thereon.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LANGLEY, for three days, on account of sickness in family.

To Mr. DENISON, for one week, on account of important business.

## EXTENSION OF REMARKS.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made this afternoon.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. I make the same request.

Mr. BOX. I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Wyoming moves that when the House adjourns to-night it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. GARD. Reserving the right to object, what is the necessity for meeting at 11 o'clock?

Mr. MONDELL. I think it may take the entire day to dispose of this bill, and I am in hopes we will dispose of it to-morrow.

Mr. GARD. Do I understand that there is a rule to be brought out to-morrow which will take some additional time for consideration?

Mr. CAMPBELL of Kansas. There probably will be. The rule has been asked for by the committee, and the request has been concurred in by the members of the Committee on the Merchant Marine and Fisheries.

Mr. GARD. If there is to be time given to the presentation of the rule, I am not constrained to object. If there is not, I do not think we gain anything by meeting at 11 o'clock. There is never anyone here at 11 o'clock. I do not desire to stand in the way.

Mr. ALMON. It is not the purpose of the Committee on Rules to vote on the rule until this bill is disposed of?

Mr. CAMPBELL of Kansas. Until the bill has been completed, and then go back to the item.

Mr. GARRETT. The gentleman says that they are going to wait until the completion of the bill before presenting the rule?

Mr. CAMPBELL of Kansas. That is my understanding of the request; that is, that the reading of the bill shall be concluded and then to rise and go back to the item. I have no idea when the rule will be considered.

Mr. WINGO. If the gentleman will yield, there is this situation, and I shall not object. But there are some important hearings in the morning, and I should feel inclined to object, although I should not take that responsibility, unless we were assured we would not be interrupted in those hearings until later on in the day. The gentleman suggests he will bring in the rule later.

Mr. MONDELL. The rule will come later.

Mr. GARRETT. If the gentleman will permit, the rule will come later, but we do not know how much later. The question of how long it will take to consider this bill renders the hour the rule will come up rather uncertain.

Mr. MONDELL. I know the gentleman will be in reach, as will all the other gentlemen.

Mr. GARD. Owing to the uncertainty, I shall have to object.

## SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15422, the sundry civil appropriation bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 47, noes 8.

Mr. BLANTON. Mr. Speaker, I made the point of no quorum.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members. Those in favor of the motion that

the House resolve itself into Committee of the Whole House on the state of the Union will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—ayes 244, nays 14, not voting 172, as follows:

## YEAS—244.

Ackerman	Good	McClintic	Rubey
Almon	Goodall	McFadden	Sanders, Ind.
Anderson	Goodykoontz	McLaughlin, Mich.	Sanders, La.
Andrews, Md.	Graham, Ill.	McLaughlin, Nebr.	Sanders, N. Y.
Andrews, Nebr.	Greene, Mass.	McLeod	Schall
Ashbrook	Greene, Vt.	McPherson	Sears
Bacharach	Griest	MacGregor	Shreve
Barbour	Hadley	Madden	Siegel
Bee	Hardy, Colo.	Magee	Sinclair
Benham	Harrison	Mansfield	Sinnot
Blackmon	Hastings	Mapes	Sisson
Blanton	Haugen	Martin	Slomp
Bowling	Hawley	Merritt	Smith, Idaho
Box	Hayden	Michener	Smithwick
Brand	Hays	Miller	Snell
Briggs	Hernandez	Minahan, N. J.	Steagall
Brinson	Hersman	Monnell	Stedman
Britten	Hickey	Montague	Steenerson
Brooks, Pa.	Hoch	Moore, Ohio	Stephens, Miss.
Burdick	Holland	Moore, Ind.	Stephens, Ohio
Burroughs	Houghton	Morin	Stevenson
Butler	Hudspeth	Mott	Stoll
Byrnes, Tenn.	Hull, Iowa	Murphy	Strong, Kans.
Caldwell	Hull, Tenn.	Neely	Summers, Wash.
Campbell, Pa.	Humphreys	Nelson, Mo.	Summers, Tex.
Cannon	Husted	Newton, Mo.	Sweet
Caraway	Hutchinson	O'Connor	Swindall
Carter	Ireland	Ogden	Taylor, Ark.
Casey	Jacoway	Oldfield	Taylor, Colo.
Chindblom	James, Va.	Oliver	Temple
Christopherson	Jefferis	Osborne	Thompson
Collier	Johnson, Ky.	Paige	Tilson
Connally	Johnson, Wash.	Park	Timberlake
Cramton	Jones, Pa.	Parrish	Tincher
Curry, Calif.	Jones, Tex.	Patterson	Tinkham
Dallinger	Kearns	Peters	Towner
Darrow	Keller	Phelan	Treadway
Davis, Minn.	Kelly, Pa.	Purnell	Upshaw
Dempsey	Kendall	Quin	Vaile
Dent	Kennedy, R. I.	Radcliffe	Venable
Dickinson, Mo.	Kettner	Rainey, H. T.	Vestal
Dickinson, Iowa	Kless	Rainey, J. W.	Vinson
Dowell	King	Raker	Voigt
Dunbar	Kinkaid	Ramsey	Volk
Dupré	Knutson	Ramsey	Volstead
Dyer	Kraus	Randall, Calif.	Walsh
Eagan	Lampert	Randall, Wis.	Wason
Edmonds	Langley	Ransley	Watkins
Elliott	Lanham	Rayburn	Watson
Esch	Lankford	Reavis	Weaver
Evans, Nebr.	Larsen	Reber	Webster
Fess	Layton	Reed, N. Y.	Welling
Fish	Lazaro	Reed, W. Va.	Welty
Fisher	Lee, Calif.	Rhodes	Wheeler
Focht	Lee, Ga.	Ricketts	White, Kans.
Fordney	Leshner	Robison, Ky.	Wilson, La.
Foster	Little	Rogers	Wingo
Freeman	Longworth	Romjue	Winslow
French	Luce	Rose	Woods, Va.
Garner	Lutkin	Rouse	Woodyard
Garrett	Luhning	Rowe	Young, N. Dak.

## NAYS—14.

Black	Eagle	Huddleston	Sherwood
Bland, Va.	Evans, Mont.	McGlennon	Tague
Cullen	Gallivan	Pell	
Drane	Gard	Sabath	

## NOT VOTING—172.

Anthony	Copley	Godwin, N. C.	McAndrews
Aswell	Costello	Goldfogle	McArthur
Ayres	Crago	Goodwin, Ark.	McCulloch
Babka	Crisp	Gould	McDuffie
Baer	Crowther	Graham, Pa.	McKenzie
Bankhead	Currie, Mich.	Green, Iowa	McKeown
Barkley	Dale	Griffin	McKinley
Begg	Davey	Hamill	McKinley
Bell	Davis, Tenn.	Hamilton	McLane
Benson	Denison	Hardy, Tex.	Maher
Bland, Ind.	Dewalt	Harrel	Major
Bland, Mo.	Dominick	Hersey	Mann, Ill.
Boies	Donovan	Hicks	Mann, S. C.
Booher	Dooling	Hill	Mason
Bowers	Doremus	Hoey	Mays
Brooks, Ill.	Doughton	Howard	Mead
Browne	Drewry	Hulings	MHlgan
Brunbaugh	Dunn	Igoe	Monahan, Wis.
Buchanan	Echols	James, Mich.	Moon
Burke	Ellsworth	Johnson, Miss.	Mooney
Byrnes, S. C.	Elston	Johnson, S. Dak.	Moore, Va.
Campbell, Kans.	Emerson	Johnston, N. Y.	Mudd
Candler	Evans, Nev.	Juul	Nelson, Wis.
Cantrill	Fairfield	Kahn	Newton, Minn.
Carew	Ferris	Kelley, Mich.	Nichols
Carss	Fields	Kennedy, Iowa	Nolan
Clark, Fla.	Flood	Kincheloe	O'Connell
Clark, Mo.	Frear	Kitchin	Oney
Classon	Fuller	Kleezka	Overstreet
Cleary	Gallagher	Kroider	Padgett
Coady	Gandy	Lehlbach	Parker
Cole	Ganly	Linnicum	Perlmam
Cooper	Glynn	Loneragan	Porter

Pou	Scully	Strong, Pa.	White, Me.
Rainey, Ala.	Sells	Sullivan	Williams
Riddick	Sims	Swope	Wilson, Ill.
Riordan	Small	Taylor, Tenn.	Wilson, Pa.
Robinson, N. C.	Smith, Ill.	Thomas	Wise
Rodenberg	Smith, Mich.	Tillman	Wood, Ind.
Rowan	Smith, N. Y.	Vare	Wright
Rucker	Snyder	Walters	Yates
Sanford	Steele	Ward	Young, Tex.
Scott	Stiness	Whaley	Zihlman

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. HARRELD with Mr. WRIGHT.  
 Mr. BLAND of Indiana with Mr. McKEOWN.  
 Mr. MONAHAN of Wisconsin with Mr. BRUMBAUGH.  
 Mr. JUUL with Mr. CRISP.  
 Mr. ECHOLS with Mr. FLOOD.  
 Mr. FULLER with Mr. CANTRILL.  
 Mr. SANFORD with Mr. MAHER.  
 Mr. ZIHLMAN with Mr. ASWELL.  
 Mr. ANTHONY with Mr. AYRES.  
 Mr. GREEN of Iowa with Mr. HOEY.  
 Mr. YATES with Mr. BABKA.  
 Mr. BAER with Mr. ROWAN.  
 Mr. WOOD of Indiana with Mr. SIMS.  
 Mr. RIDDICK with Mr. HOWARD.  
 Mr. ELSTON with Mr. BYRNES of South Carolina.  
 Mr. SMITH of Illinois with Mr. McLANE.  
 Mr. DUNN with Mr. WHALEY.  
 Mr. WILSON of Illinois with Mr. GODWIN of North Carolina.  
 Mr. RODENBERG with Mr. RUCKER.  
 Mr. PARKER with Mr. CANDLER.  
 Mr. BEGG with Mr. FERRIS.  
 Mr. WILLIAMS with Mr. THOMAS.  
 Mr. HUTCHINSON with Mr. YOUNG of Texas.  
 Mr. NELSON of Wisconsin with Mr. DONOVAN.  
 Mr. MANN of Illinois with Mr. CLARK of Missouri.  
 Mr. DAVIS of Tennessee with Mr. BANKHEAD.  
 Mr. PORTER with Mr. TILLMAN.  
 Mr. SELLS with Mr. GOODWIN of Arkansas.  
 Mr. NOLAN with Mr. MAYS.  
 Mr. SNYDER with Mr. CLARK of Florida.  
 Mr. BOIES with Mr. WISE.  
 Mr. MASON with Mr. FIELDS.  
 Mr. McCULLOCH with Mr. STEDMAN.  
 Mr. STRONG of Pennsylvania with Mr. WILSON of Pennsylvania.  
 Mr. TAYLOR of Tennessee with Mr. GRIFFIN.  
 Mr. BOWERS with Mr. NICHOLLS.  
 Mr. SWOPE with Mr. GALLAGHER.  
 Mr. WALTERS with Mr. SULLIVAN.  
 Mr. MCKINLEY with Mr. SMALL.  
 Mr. EMERSON with Mr. CAREW.  
 Mr. BROOKS of Illinois with Mr. KINCHELOE.  
 Mr. SMITH of Michigan with Mr. MILLIGAN.  
 Mr. VARE with Mr. STEELE.  
 Mr. STINESS with Mr. LINTHICUM.  
 Mr. KELLEY of Michigan with Mr. MCKINIRY.  
 Mr. SCOTT with Mr. MAJOR.  
 Mr. GOULD with Mr. SCULLY.  
 Mr. CLASSON with Mr. HARDY of Texas.  
 Mr. KLECZKA with Mr. GOLDFOGLE.  
 Mr. PERLMAN with Mr. MOON.  
 Mr. WHITE of Maine with Mr. OLNEY.  
 Mr. NEWTON of Minnesota with Mr. DOUGHTON.  
 Mr. FAIRFIELD with Mr. CARSS.  
 Mr. COLE with Mr. BARKLEY.  
 Mr. WARD with Mr. MOONEY.  
 Mr. DENISON with Mr. CLEARY.  
 Mr. GLYNN with Mr. BELL.  
 Mr. COSTELLO with Mr. BENSON.  
 Mr. FREAR with Mr. DOMINICK.  
 Mr. MCKENZIE with Mr. BLAND of Missouri.  
 Mr. MUDD with Mr. McDUFFIE.  
 Mr. JAMES of Michigan with Mr. DOOLING.  
 Mr. CROWTHER with Mr. DREWRY.  
 Mr. KREIDER with Mr. MANN of South Carolina.  
 Mr. KAHN with Mr. MOORE of Virginia.  
 Mr. ELLSWORTH with Mr. DAVEY.  
 Mr. COPLEY with Mr. McANDREWS.  
 Mr. JOHNSON of South Dakota with Mr. KITCHIN.  
 Mr. GRAHAM of Pennsylvania with Mr. COADY.  
 Mr. CURRIE of Michigan with Mr. MEAD.  
 Mr. DALE with Mr. GANDY.  
 Mr. HICKS with Mr. PADGETT.

Mr. CRAGO with Mr. RAINEX of Alabama.

Mr. HULINGS with Mr. GANLY.

Mr. HERSEY with Mr. EVANS of Nevada.

Mr. COOPER with Mr. RIORDAN.

Mr. LEHLBACH with Mr. ROBINSON of North Carolina.

Mr. HILL with Mr. JOHNSON of Mississippi.

Mr. MCARTHUR with Mr. O'CONNELL.

Mr. KENNEDY of Iowa with Mr. OVERSTREET.

Mr. HAMILTON with Mr. POU.

Mr. BROWNE with Mr. BUCHANAN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The gentleman from Massachusetts [Mr. WALSH] will please resume the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### PUBLIC PRINTING AND BINDING.

Office of Public Printer: Public Printer, \$6,000; purchasing agent, \$3,600; chief clerk, \$2,750; accountant, \$2,500; assistant purchasing agent, \$2,500; cashier and paymaster, \$2,500; clerk in charge of CONGRESSIONAL RECORD at the Capitol, \$2,500; private secretary, \$2,500; assistant accountant, \$2,250; chief timekeeper, \$2,000; paying teller, \$2,000; clerks—4 at \$2,000 each, 10 of class 4, 13 of class 3, 12 of class 2, 10 of class 1, 15 at \$1,000 each, 6 at \$900 each; paymaster's guard, \$1,000; doorkeeper—chief \$1,200, 1 \$1,200, 5 assistants at \$1,000 each; 2 messengers, at \$840 each; delivery men—chief \$1,200, 5 at \$950 each; telephone switchboard operator, \$720; 3 assistant telephone switchboard operators, at \$600 each; 7 messenger boys, at \$420 each; in all, \$148,590.

Mr. BLANTON. Mr. Chairman, I offer an amendment. On page 156, line 9, after the word "Capitol," strike out "\$2,500" and insert "\$3,500."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 156, line 9, after the word "Capitol," strike out the figures "\$2,500" and insert in lieu thereof the figures "\$3,500."

Mr. BLANTON. Mr. Chairman, in all of the force of employees in this Government there is not anyone more faithful and efficient than this clerk, and while other salaries have been raised according to deserts in many cases, and not so much so in others, his has not been made commensurate with the value of the service he gives to the country.

I submit the matter without further argument. I think his salary ought to be increased.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. BLANTON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 8, noes 93.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the Patent Office: For printing the weekly issue of patents, designs, trade-marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly, monthly, bimonthly, and annual indices, \$585,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word, in order to ask a question.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BLANTON. I would like to ask the chairman if there is any law authorizing the appropriation of \$585,000 for printing this weekly?

Mr. GOOD. Oh, yes. There is law for printing the weekly issues of patents.

Mr. BLANTON. And the provisions of this paragraph come within the provisions of that law and are authorized by it?

Mr. GOOD. Out of this they print not only the patents but the designs, and they sell a great many copies.

Mr. BLANTON. All of that is in addition to the original law?

Mr. GOOD. Oh, no. It is all authorized by law.

Mr. BLANTON. In other words, all this paragraph is authorized by law?



Mr. GOOD. Absolutely.

Mr. BLANTON. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference, directories, books, miscellaneous office and desk supplies; paper; twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; repairs to building, elevators, and machinery; preserving sanitary condition of building, light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, \$39,000; for catalogues and indexes, not exceeding \$16,000; for binding reserve remainders, and for supplying books to depository libraries, \$90,000; equipment, material, and supplies for distribution of public documents, \$35,000; in all, \$180,000.

Mr. KIESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KIESS: On page 166, after line 8, insert: "The duty of preparing, publishing, and distributing the semi-monthly and session indexes of the CONGRESSIONAL RECORD shall be performed, beginning with the 1st day of July, 1921, and thereafter, by the superintendent of documents of the Government Printing Office, under direction of the Joint Committee on Printing. For the performance of this work the superintendent of documents shall assign from time to time from among the persons appropriated for in his office such of them as he may deem competent and necessary."

Mr. BLANTON. Mr. Chairman, I reserve the point of order on the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the amendment.

Mr. KIESS. Mr. Chairman, in explanation of this amendment I merely want to say that it puts into effect a joint resolution which was introduced by me and favorably reported by the Committee on Printing at the beginning of this session.

For more than 40 years the indexing of the CONGRESSIONAL RECORD has been done by contract, due to the fact that the printing law of 1881, which was reenacted in 1895, provided that it should be done by an indexer. Now, it takes from five to seven people to do this work, and the Joint Committee on Printing, not having authority to employ more than one person, had to have it done by contract.

We have been trying for a number of years to change this method. In the Sixty-third Congress, the first Congress of which I was a Member, a printing bill was introduced and passed which provided that indexers should be appointed, which would have made it possible to employ a number of persons, and in the Sixty-sixth Congress, on the 13th of August, 1919, a printing bill introduced by me and carrying this provision passed the House. This bill has not passed the Senate as yet, and in order to make this legislation effective, beginning with the new fiscal year, we decided to report joint resolution No. 384. It will not be possible to reach it on the calendar at this session, and for that reason I am offering this as an amendment to the sundry civil bill, believing that it is in the interest of economy. The men who will be employed will be under civil service, and when they are not employed on this work, when Congress is not in session, the superintendent of documents can use them for indexing other publications of the Government.

Mr. BLANTON. Will the gentleman yield?

Mr. KIESS. I will.

Mr. BLANTON. As I understand the gentleman there are now seven employees under the civil service engaged in this work.

Mr. KIESS. Oh, no; not under the civil service. It is done by contract. One man has the contract, and he employs the others.

Mr. BLANTON. And they are not under the civil service?

Mr. KIESS. No.

Mr. BLANTON. They are entirely outside of it?

Mr. KIESS. Yes.

Mr. BLANTON. So when we change this plan of indexing we will not leave seven idle civil-service employees in any other department with nothing to do?

Mr. KIESS. No.

Mr. BLANTON. I withdraw the reservation of the point of order.

Mr. GARD. I renew it.

Mr. KING. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. KING. Will this remove any of the employees from the pay roll of the House?

Mr. KIESS. No.

Mr. TILSON. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. TILSON. How much does it cost at the present time to do this indexing?

Mr. KIESS. It is paid for by the page, and depends on the number of pages. For the eight Congresses prior to the Sixty-first Congress the average number of pages of the CONGRESSIONAL RECORD for a Congress amounted to 12,851. We all know that in recent years Congress has been in session the greater part of the time.

Mr. TILSON. Unfortunately so.

Mr. KIESS. And there is a large increase in the number of pages; so that no one can tell what it will cost.

Mr. TILSON. Does the gentleman have any idea that this change will save money?

Mr. KIESS. I am sure it will save money; and anyone who will read the report of the Committee on Printing which accompanied House joint resolution No. 384 will get a very fair statement of the situation.

Mr. GOOD. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. GOOD. I will say to the gentleman that we carry in this bill six clerks to do this work, and their total compensation is \$8,400. One year it cost nearly \$20,000 to do this work under the contract; and unquestionably this will save from \$5,000 to \$10,000 a year. When the Committee on Appropriations learned that the gentleman's Committee on Printing intended to report out this joint resolution, the gentleman from Pennsylvania came and asked us to put it on the bill. We declined to do that, but we did put on the number of clerks necessary to do the work, and they are carried in the bill, and the gentleman said he would offer the amendment. I have no objection to it, because it will effect a real saving.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. GREENE of Vermont. A question for information. It seems to me that six or eight clerks are a quite sufficient force to index a publication like the CONGRESSIONAL RECORD, which follows certain definite lines of matter, and whose system of indexing was long ago established in a uniform way.

Mr. KIESS. I do not understand what the gentleman is getting at, but at the present time there are no clerks employed by the House.

Mr. GREENE of Vermont. I understand that. What I mean to say is that it does not seem to me, from such knowledge as I have, that such a number of clerks would be required.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from Ohio insist on his point of order?

Mr. GARD. Still reserving the point of order for the purpose of making an inquiry, do I understand that legislation from the gentleman's committee has passed the House covering this matter?

Mr. KIESS. Not with this exact provision. I said that the committee had reported out a joint resolution at the beginning of this session which they realize can not be reached in the ordinary course of business, and for that reason we have asked to have this attached to the sundry civil bill. I stated that in the first session of the Sixty-sixth Congress a general bill revising the printing law passed the House, but has not passed the Senate.

Mr. GARD. Is that which the gentleman now asks contained in the general printing bill which passed the House and is awaiting action on the part of the Senate?

Mr. KIESS. Does the gentleman mean what we are asking to pass now?

Mr. GARD. Yes.

Mr. KIESS. No; the general printing bill provided that the Joint Committee on Printing should employ indexers instead of an indexer, which would have made it possible for us to get away from the contract system. The committee believe that this amendment is a better proposition, for the reason that no one knows how long Congress will be in session, and that with these people employed by the year the superintendent of documents can make use of them for other work when Congress is not in session.

Mr. GARD. How many more people will be employed under your amendment?

Mr. KIESS. Not any more.

Mr. YOUNG of North Dakota. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from North Dakota demands the regular order. Does the gentleman from Ohio insist upon his point of order?

Mr. GARD. If the regular order is demanded before I can secure information I shall have to insist upon it.

Mr. YOUNG of North Dakota. Mr. Chairman, I withdraw the demand.

Mr. GARD. I have no desire to take up the time of the committee unduly. How many men will be added to the pay roll by the gentleman's amendment?

Mr. KIESS. No one will be added, in one sense. At the present time the work is done by contract, and the man who has the contract employs six men. Under this proposition the work will be done under the supervision of the superintendent of documents, and the employees will naturally come under the civil service, the same as the other employees of the Government Printing Office.

Mr. GARNER. And the saving will be about \$10,000 a year?

Mr. GARD. Under the contract it is not necessary to have them under the civil service?

Mr. KIESS. No. This is a private contract. It has been going on for 40 years. We are trying to correct something and save the Government money. As a member of the Joint Committee on Printing for eight years I am familiar with it. We have been trying to correct it in a revision of the general printing laws.

Mr. GARD. What is the gentleman's estimate of the saving per year?

Mr. KIESS. The saving per year will probably be from \$2,500 to \$5,000. It will vary with the years, depending upon whether Congress is in session continuously or whether the Record is large or small.

Mr. GARD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon during the fiscal year 1922 the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15422, the sundry civil appropriation bill, and had come to no resolution thereon.

#### ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Friday, January 7, 1921, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

299. A letter from the Secretary of the Navy, transmitting proposed item of legislation to appropriate certain sums to further educational facilities for enlisted men in the Navy; to the Committee on Naval Affairs.

300. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Darby River, Pa.; to the Committee on Rivers and Harbors.

301. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Hudson River, N. Y., approaches to Troy Dam; to the Committee on Rivers and Harbors.

302. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims, which have been presented to this department and require an appropriation for their payment (H. Doc. No. 956); to the Committee on Appropriations and ordered to be printed.

303. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a deficiency estimate of appropriation required by the Bureau of Indian Affairs to pay amounts found due by the accounting officer of the Treasury for the fiscal year 1920 and for prior years (H. Doc. No. 957); to the Committee on Appropriations and ordered to be printed.

304. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered against the Government by the district courts of the United States, as submitted by the Attorney General, and which require an appropriation for their pay-

ment (H. Doc. No. 958); to the Committee on Appropriations and ordered to be printed.

305. A letter from the Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund (H. Doc. No. 955); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WOOD of Indiana, from the Committee on Appropriations, to which was referred the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 1165), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served two or more enlistments therein, reported the same with amendments, accompanied by a report (No. 1168), which said bill and report were referred to the House Calendar.

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (S. 4382) to amend section 74 of the Judicial Code as amended, reported the same without amendment, accompanied by a report (No. 1169), which said bill and report were referred to the House Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15349) granting a pension to Thomas A. De Berry; Committee on Pensions discharged, and referred to the Committee on Interstate and Foreign Commerce.

A bill (H. R. 15529) granting a pension to Charles W. F. Hamilton; Committee on Pensions discharged, and referred to Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WOOD of Indiana: A bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. DARROW: A bill (H. R. 15544) to consent to the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J., and also to consent to an agreement between the States of Pennsylvania and New Jersey and the city of Philadelphia for the construction, maintenance, and operation of such bridge; to the Committee on Interstate and Foreign Commerce.

By Mr. BURROUGHS: A bill (H. R. 15545) to amend an act entitled "An act to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War and the War with Mexico; to certain widows, including widows of the War of 1812, former widows, dependent parents, and children of such soldiers, sailors, and marines; and to certain Army nurses; and granting pensions and increase of pensions in certain cases"; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 15546) to repeal certain portions of an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved June 5, 1920; to the Committee on Invalid Pensions.

By Mr. BYRNES of South Carolina: A bill (H. R. 15547) to authorize the President in certain cases to relieve former members of the naval service of the disabilities now provided



by law for conviction upon the charge of desertion; to the Committee on Naval Affairs.

By Mr. TOWNER: A bill (H. R. 15548) to confer jurisdiction on the Supreme Court of the Philippine Islands to naturalize as citizens those who after having made a declaration of intention to become citizens of the United States have removed to the Philippine Islands before becoming naturalized in the United States, and to make applicable thereto the proceedings employed in such cases in courts of the United States in the naturalization of aliens; to the Committee on Insular Affairs.

By Mr. FISH: A bill (H. R. 15549) making Armistice Day a legal holiday; to the Committee on the Judiciary.

By Mr. BRITTEN: A bill (H. R. 15550) to establish a mint of the United States in the city of Chicago; to the Committee on Coinage, Weights, and Measures.

By Mr. WINSLOW: A bill (H. R. 15551) to amend and reenact subdivision (g) of section 204 and subdivision (g) of section 209 of the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. BRITTEN: Joint resolution (H. J. Res. 441) confirming the action of past Congresses for the establishment of an American Navy capable of affording the greatest measure of protection to American commerce, American life, and American principles, and to maintain our national independence within our own control; to the Committee on Naval Affairs.

By Mr. GOOD: Resolution (H. Res. 634) providing that the consideration of certain amendments to House bill 15422 shall be in order; to the Committee on Rules.

By Mr. DALLINGER: Resolution (H. Res. 635) requesting the Secretary of State to furnish the House of Representatives certain information as to conditions in Russia; to the Committee on Foreign Affairs.

By Mr. DOWELL: Resolution (H. Res. 636) requesting the War Department to furnish information to the Committee on Military Affairs regarding the abandonment of Camp Dodge, and providing that pending the furnishing of such information and action thereon that no action toward the wrecking and abandonment of said camp be taken; to the Committee on Military Affairs.

By Mr. HUTCHINSON: Resolution (H. Res. 637) directing the Secretary of War to furnish to the House of Representatives, not later than February 1, 1921, the amount of nitrate of soda on hand in the War Department and the price paid for same per ton; to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15552) granting an increase of pension to Anne E. Black; to the Committee on Invalid Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 15553) granting an increase of pension to Edward Miller, alias Frank Smith; to the Committee on Pensions.

By Mr. CRAGO: A bill (H. R. 15554) to carry out the findings of the United States Court of Claims in the case of Benjamin F. Hasson; to the Committee on War Claims.

By Mr. CURRY of California: A bill (H. R. 15555) for the relief of the Six Minute Ferry Co., of Vallejo, Calif.; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 15556) granting a pension to Clara Daughters; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 15557) granting an increase of pension to Charles Duerson, sr.; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 15558) granting a pension to Sarah Haddiman; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 15559) granting a pension to Emma Hotchkiss; to the Committee on Pensions.

By Mr. MacGREGOR: A bill (H. R. 15560) to authorize the refund of a part of the purchase price of Camp Mills to the Buffalo House Wrecking & Salvage Co.; to the Committee on Claims.

By Mr. OVERSTREET: A bill (H. R. 15561) for the relief of the Gadsden Contracting Co.; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 15562) granting a pension to Susie La Baw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15563) granting a pension to Mary J. Landes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15564) granting a pension to Marshall E. Shutters; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 15565) granting a pension to Estelle E. Knight; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 15566) granting a pension to Eliza P. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15567) granting an increase of pension to Sharlett Farmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15568) granting a pension to Lilly Guffey; to the Committee on Pensions.

By Mr. RUBEEY: A bill (H. R. 15569) granting a pension to Clara Blunt; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 15570) granting a pension to Delia E. Nelson; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15571) granting a pension to Julia Hollingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15572) granting a pension to Polly E. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 15573) granting an increase of pension to Earle W. Brown; to the Committee on Pensions.

Also, a bill (H. R. 15574) for the relief of Virgie Young; to the Committee on Claims.

By Mr. WHALEY: A bill (H. R. 15575) for the relief of Dampskibsselskabet Dannebrog, owner of the Danish steamship *Flynderborg*; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4833. By the SPEAKER (by request): Petition of E. N. Nockels, secretary Chicago Federation of Labor, urging immediate steps to resume trade with Russia; to the Committee on Foreign Affairs.

4834. By Mr. BURROUGHS: Petition of Storer Relief Corps, No. 6, Women's Relief Corps Auxiliary, Grand Army of the Republic, Portsmouth, N. H., indorsing Smith-Towner bill; to the Committee on Education.

4835. By Mr. CAREW: Petition of Hon. William D. Stephens, governor of the State of California, regarding the Japanese race problem in California; to the Committee on Immigration and Naturalization.

4836. By Mr. CULLEN: Petition of citizens of the State of New York, regarding a comprehensive waterways plan; to the Committee on Rivers and Harbors.

4837. Also, petition of board of managers of the Silk Association of America, favoring a daylight saving law; to the Committee on Interstate and Foreign Commerce.

4838. Also, petition of Brooklyn Chamber of Commerce, urging the immediate passage of the budget bill; to the Committee on Budget.

4839. By Mr. DYER: Petition of Henry C. Moriarity, of Camp Grant, Ill., requesting review of his discharge and disability claim; to the Committee on Interstate and Foreign Commerce.

4840. By Mr. O'CONNELL: Petition of League of Women Voters, Borough of Brooklyn, N. Y., indorsing the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

4841. Also, petition of J. Francis Boorae, M. E., E. E., industrial engineer, New York, urging the immediate passage of the Nolan Patent Office force and salaries bill; to the Committee on Patents.

4842. Also, petition of Brooklyn Chamber of Commerce, Brooklyn, N. Y., urging the early installment of a modern budget system for the Federal Government; to the Committee on Budget.

4843. By Mr. SINCLAIR: Petitions of the congregations of the Evangelical First Congregational Church, First German Baptist Church, St. Ann's Catholic Church, First German Congregational Church, and St. John's Congregational Church, all of Hebron, N. Dak., protesting against the retention of French colored troops in the occupied area of Germany; also, letters from Hon. Fred Maser, county judge, and Viola E. Maser, clerk of county court, Dickinson, N. Dak., making similar protest; to the Committee on Foreign Affairs.

4844. By Mr. SNYDER: Petition of Utica (N. Y.) Drop Forge & Tool Co., manufacturers of nippers and pliers, for a revision of the tariff on such goods to 15 cents per pound and 50 per cent ad valorem, in lieu of the present rate of 30 per cent ad valorem; to the Committee on Ways and Means.

4845. By Mr. YATES: Petition of East St. Louis Lumber Co., East St. Louis, Ill., urging the passage of legislation providing 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

4846. Also, petition of Marathon Underwear Co., Chicago, Ill., urging a sales tax; to the Committee on Ways and Means.

4847. Also, petition of Miss Vera H. Wertheim, 1424 East Sixty-fifth Street, Chicago, Ill., in re legislation pertaining to national parks; to the Committee on the Public Lands.

4848. Also, petition of Miss Grace G. Fraser, the Prairie Club, 1541 Monadnock Block, Chicago, Ill., in re legislation pertaining to national parks; to the Committee on the Public Lands.

4849. Also, petition of Edward Davieson, 1541 Monadnock Block, Chicago, Ill., in re legislation pertaining to national parks; to the Committee on the Public Lands.

4850. Also, petition of Rex W. Reeve, 3934 Prairie Avenue, Chicago, Ill., in re legislation pertaining to national parks; to the Committee on the Public Lands.

4851. Also, petition of Fort Armstrong Chapter, Daughters of the American Revolution, Rock Island, Ill., by Mrs. Ann Della Yellman, secretary, protesting against the granting of water-power rights in national parks and protesting against use of the

national parks for commercial purposes; to the Committee on the Public Lands.

4852. Also, petition of Messrs. Leroy G. Denman and Alexander Joske, San Antonio, Tex., in re legislation pertaining to Liberty bonds; to the Committee on Ways and Means.

4853. Also, petition of Sanford Manufacturing Co., Congress and Peoria Streets, Chicago, Ill., in re legislation pertaining to undeveloped commercial fields in Alaska; to the Committee on the Territories.

4854. Also, petition of Mrs. W. B. Cornwell, 3825 Alta Vista Terrace, Chicago, Ill., urging passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

4855. Also, petition of Mr. Harry L. Smith, Springfield, Ill., urging passage of legislation revising the provisions in sections 204, 214, and 234 of the revenue law of 1918 so as to make the privileges granted thereby apply to the years 1919 and 1920; to the Committee on Ways and Means.